

WAIVER AND RELEASE AGREEMENT

This Waiver and Release Agreement ("Agreement") is between Anthony Kern ("EMPLOYEE"), the undersigned Employee (referred to as "you" or "your") and The City of El Mirage ("the CITY") and shall inure to the benefit of other persons and entities as set forth below.

Section A - Separation

Your separation from the CITY is effective November 7, 2014. You acknowledge that you have received all compensation to which you are entitled, including but not limited to, wages and accrued vacation pay, PTO pay, sick pay, commissions, or bonuses to which you are entitled to by the CITY policy. You also acknowledge that you are not aware of any fact that would support a claim for unpaid wages under the Fair Labor Standards Act or the Arizona Minimum Wage Act as all compensation has been paid to you.

Section B - Consideration

The CITY shall as consideration for your release and promises set forth in this Agreement pay you additional compensation that you would not be entitled to otherwise. The CITY, in entering this Agreement, does not admit that it is legally obligated to make any payment and denies that it is responsible or legally obligated for any claims or that it has engaged in any improper conduct or wrongdoing. Employee in entering this Agreement does not admit to any wrongdoing whatsoever.

You shall receive a gross lump sum payment of seven-thousand dollars (\$7000). The CITY will report this payment on a 1099. You agree to complete form W-9 and provide to the CITY prior to payment. CITY agrees to deliver payment to Kern on or before nine days after he signs this Waiver & Release subject to the provisions of Section E-10.

In addition, as additional consideration for this Agreement, the City will:

1. Accept your voluntary resignation effective November 7, 2014,
2. Code your resignation as a voluntary resignation and specifically not code your resignation as a resignation in lieu of termination or any similar code,
3. Waive the \$454 you owe to the CITY for the misplaced Motorola Xoom equipment,
4. If contacted by the media or public about your separation of employment the City will only respond that "you voluntarily resigned,"
5. If contacted for an employment reference, the City will provide a neutral reference except for inquiries pursuant to Arizona Administrative Code Rule 13.4 (et. seq.) under the authority of Arizona Revised Statute §41-1822 (1) (et. seq.),
6. The City will provide you a neutral reference letter that will includes dates of employment and your title, and states you voluntarily resigned.

Section C - General Release of the CITY and Covenant Not To Sue

In consideration for the payment set out in Section B above, you agree to forever, unequivocally, and unconditionally release from and covenant not to sue or assert against the CITY and all of its related entities, directors, members, trustees, officers, current and former employees, agents, insurers, attorneys, predecessors, successors, and assignees (the CITY and all the foregoing other persons and entities are referred to collectively in this agreement as the "Releasees"), any and all causes of action, whether at law or in equity, pertaining to or arising from the employment relationship of the parties and the separation of such employment relationship based in whole or in part upon any act or omission occurring on or before the date of this Agreement, whether negligent or intentional, without regard to your present actual knowledge of the act or omission. Included in this Agreement is your specific agreement to drop your August 20, 2014, appeal of your separation of employment and not to sue or assert any claims regarding your separation of employment. Employee will instruct his counsel to withdraw the public records request that were sent to the City of El Mirage on August 25, 2014.

The Agreement does not affect your right to file a charge with or participate in an investigative proceeding before the Equal Employment Opportunity Commission, state civil rights agency, or another federal, state, or local government agency or to communicate or cooperate with any such agency in its investigation, none of which shall constitute a breach of this Agreement. However, you are expressly waiving your right to any relief, recovery, attorneys' fees, or other monies in connection with any such complaint, charge, or proceeding brought against the Releasees, regardless of who filed or initiated any such complaint, charge, or proceeding. In the event you make a claim, the City may defend against that claim, this agreement notwithstanding.

Causes of action as used in this Section shall mean all claims, causes, judgments, damages, losses, liabilities, and demands of any kind and nature whatsoever, whether intentional or negligent, known or unknown, in law or in equity, individually or as part of a class action, occurring on or prior to the date of execution of this Agreement, arising under any constitution, federal, state, or local law(s), including but not limited to:

1. All claims or demands, directly or indirectly, relating to or arising out of your employment relationship with the CITY, and the separation of that relationship;
2. All claims for violation of any federal, state or municipal statute, including but not limited to:
 - a. Title VII of the Civil Rights Act of 1964, as amended;
 - b. the Family and Medical Leave Act;
 - c. the Americans with Disabilities Act;
 - d. the Arizona Civil Rights Act;
 - e. the Arizona Employment Protection Act;
 - f. the Arizona Constructive Discharge Act;
 - g. the Arizona Medical Marijuana Act;
3. All claims arising from any theory under common law such as breach of contract, express or implied, promissory estoppel, detrimental reliance, wrongful discharge, tortious interference

with contract rights, infliction of emotional distress, and defamation, excepting only vested retirement benefits (if any), COBRA rights, unemployment compensation, and workers' compensation;

4. All claims for violation of any federal, or any state, constitution, law, or statute;
5. All claims arising out of any other laws and regulations relating to employment or employment discrimination, including claims arising under common law including any tort, contract, or equitable theory; and
6. All claims for attorneys' fees and costs.

Section D – ADEA and Older Workers Benefit Protection Act Release

In addition to the General Release contained in Section C, you knowingly, voluntarily, and irrevocably discharge and release Releasees and each of them from any claims arising under the ADEA. You acknowledge that you have been informed pursuant to the federal Older Workers Benefit Protection Act of 1990 that:

1. You are advised to consult with an attorney before signing this Agreement.
2. You do not waive rights or claims under the federal Age Discrimination in Employment Act that may arise after the date this Agreement is executed.
3. You have twenty-one (21) days from the date of receipt of this Agreement to consider this Agreement. You acknowledge that if you sign this Agreement before the end of the twenty-one-day (21) period, it will be your personal, voluntary decision to do so and that you have not been pressured to make a decision sooner.
4. You have seven (7) days after signing this Agreement to revoke the Agreement, and the Agreement will not be effective until that revocation period has expired. If mailed, the rescission must be postmarked within the seven-day period, properly addressed to Sandy King, Human Resources Director, 12145 NW Grand Avenue, El Mirage, AZ 85335
5. This agreement shall not be effective or enforceable, and no payments or benefits under this Agreement shall be provided to you, until after the seven (7) day revocation period has expired. You understand that you will not receive any settlement payment if you void your signature or revoke this Agreement.

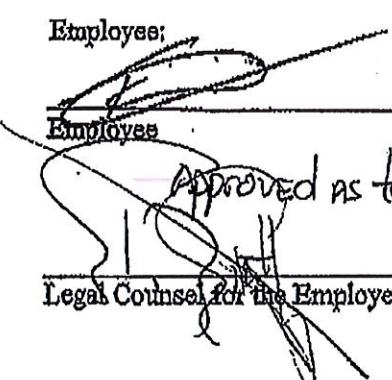
Section E – Miscellaneous

1. Severability. Should any clause or provision of this Agreement be declared illegal or unenforceable by a court of competent jurisdiction, and cannot be modified to be enforceable, such provision shall be immediately null and void, leaving the remainder of this Agreement in full force and effect.
2. Receipt of Agreement. You acknowledge that you received this Agreement on December 26, 2014.

3. No Obligation to Hire. You agree that the City and any related or affiliated entities have no obligation to consider you for future employment and can terminate your employment if you become employed with The City.
4. Indemnification. You acknowledge and agree that you are responsible for state, local, and federal tax liability, if any, associated with the payment you receive pursuant to the terms of this Agreement. You will indemnify and hold harmless the City from any tax liability, costs, penalties, or expense, pertaining to any amounts owing by you, arising from the taxation, if any of any amounts received by you pursuant to this Agreement.
5. Entire Agreement. This Agreement represents the entire agreement and understanding between you and the CITY, your employment with and separation from the CITY and the events leading thereto and associated therewith, and supersedes and replaces all prior agreements and understandings concerning your relationship with the CITY. This Agreement cannot be amended unless said amendment is reduced to writing and signed by you and an authorized representative of the City.
6. Confidentiality of Agreement. You agree to keep this Agreement confidential and will not disclose the existence or the terms of this Agreement to anyone except to your immediate family, accountants, legal or financial advisors, as part of an investigation or proceeding conducted by the Equal Employment Opportunity Commission, state civil rights agency, or as otherwise appropriate or necessary as required by law or court order. To the extent that Employee does disclose the existence or terms of this Agreement to his immediate family, accountants, legal or financial advisors, Employee agrees to advise them that they must not disclose the existence or terms of this Agreement to any person or entity. You also agree that should you be asked about the ongoing nature of your disputed separation of employment with the CITY or the terms of this Agreement by any other individual(s), you will answer, "the issue was dropped with a confidentiality agreement." The City may respond to any improper disclosures of this Agreement by Employee, Employee's immediate family, accountants, legal financial advisor or any other party improperly disclosing the existence of this Agreement.
7. Choice of Law. This Agreement is entered into by you and the CITY within the State of Arizona and shall be interpreted in accordance with the laws of the State of Arizona without regard to its conflict of law provisions. Venue is to be Maricopa County.
8. Binding Effect. This Agreement is binding on the heirs, successors, and assigns of you and the CITY.
9. Counterparts. This Agreement may be executed in counterparts, and each counterpart shall have the same force and effect as an original and shall constitute a binding, effective agreement on the part of each of the undersigned.

10. I have carefully read the above and I execute it voluntarily, fully understanding and accepting the provisions of this Agreement in its entirety and without reservation after having had sufficient time and opportunity to consult with my legal advisors prior to executing this Agreement. I have been advised to consult with an attorney prior to executing this Agreement. In agreeing to sign this Agreement, I have not relied on any statements or explanation made by the CITY. I have had at least twenty-one (21) days to consider this Agreement. I understand that if I do not return this Agreement signed by me to the CITY upon the expiration of the twenty-one day consideration period, this offer will expire. I understand that I may revoke and cancel the Agreement within seven (7) days after signing it by serving written notice upon the CITY.

Employee:

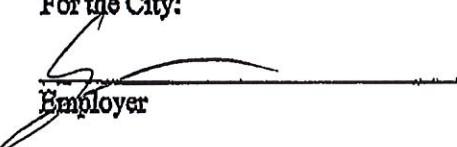
 Employee

1-22-15
Date

Legal Counsel for the Employee

1/21/2015
Date

For the City:

 Employer

1/23/15
Date

David K Smith
Legal Counsel for the City

1/23/15
Date



City of

EL MIRAGE

Arizona

GRAND HERITAGE, BRIGHT FUTURE!

Human Resources

*12145 NW Grand Avenue, El Mirage 85335
623-876-2949; Fax 623-876-4604; TDD 623-933-3258
www.cityofelmirage.org*

January 26, 2015

TO WHOM IT MAY CONCERN:

This is to confirm that Mr. Anthony Kern was employed as a Code Enforcement Officer for the City of El Mirage from March 21, 2005 through November 7, 2014 at which time he voluntarily resigned.

Sincerely,

Sandra King, IPMA-CP, SPHR
Human Resources Director



Human Resources

12145 NW Grand Avenue, El Mirage 85335

623-876-2949; Fax 623-876-4604; TDD 623-933-3258

www.cityofelmirage.org

August 18, 2014

Mr. Anthony Kern

Dear Anthony,

This letter will provide you with information concerning your status and benefit information following your separation from the City of El Mirage effective August 14, 2014.

- 1) **Final Paycheck:** Your final notice of deposit will represent regular pay plus accrued vacation through August 14, 2014. Your final notice of deposit will be issued thru direct deposit and available on the next pay date of August 21, 2014.
- 2) **Medical, Dental, and Vision Coverage:** Your coverage for medical, dental and vision is effective through August 31, 2014. You are eligible, through the Consolidated Omnibus Budget Reconciliation Act (COBRA), to extend your current group insurance coverage beyond that date for your coverage by paying the monthly premium for a minimum period of up to eighteen (18) months. You will receive information from our COBRA Administrator under separate cover which will outline the monthly premium costs as well as information regarding your rights under COBRA.
- 3) **Life Insurance:** You may convert your Life and AD & D coverage to individual policies. You must apply for conversion coverage within 31 days after your coverage ends. Contact Standard Life Company at 1-800-628-8600 for additional information.
- 4) **Arizona State Retirement System:** You will need to contact ASRS directly to find out your options for retirement benefits at (602) 240-2000 or 1(800) 621-3778. You may also access information at the Arizona State Retirement System website: <https://www.azasrs.gov/web/Home.do>.
- 5) **Nationwide Retirement Solutions:** You are enrolled in the 457 Deferred Compensation plan you must contact Nationwide in regards to your account options. Contact Matt Gayman, the Account Representative at (602) 316-4329; or visit their website at www.nrsforu.com.
- 6) **ADP Website:** You may continue to access your account at www.portal.adp.com in order to print your W-2, Wage and Tax Statement. ADP access will be granted through June 30th following the year after the termination date.



City of

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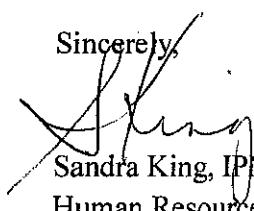
Human Resources

12145 NW Grand Avenue, El Mirage 85335
623-876-2949; Fax 623-876-4604; TDD 623-933-3258
www.cityofelmirage.org

Please notice that we have not deducted the balance owed to the City which is \$454.00. However, it is still an amount that you owe to the City.

If you have any questions, please feel free to contact Dawn Hailey, HR Manager at (623) 876-2945.

Sincerely,



Sandra King, IPMA-CP, SPHR
Human Resources Director



PERSONNEL ACTION FORM

Current / New Employee Information							
Employee Name:	Last Name:	Kern		First Name:	Anthony		
Hire Date:	03/21/2005	Introductory Period Ends:		Hourly Rate:	\$31.77	Biweekly Rate:	
Premium Pay Description:		Premium Pay Amount:				Base Rate + Premium:	
Title:	Code Enforcement Officer		Salary Range:		Step:		
Dept:	Police		Status:	FT	Exempt:	No	Max Range:
Leave Accrual Date:	Hours:	/wk	Reason:	Termination			Effective Date: 8/14/2014
Comments:	HR Use Only: Final Payout Vac (Hrs) <u>50.30</u> <u>54.92</u> Regular hours per timesheet. Sick (Hrs) Comp (Hrs) Wages (Hrs) Total Payout (Hrs):				Benefit Deductions: Special Instructions		
Changes							
New Title:			New Department:				
New Leave Accrual Date:		New Eval Date:	New Introductory Period Ending Date:				
Exempt:	New Status:	New Salary Range/New Step:					hrs per week:
Premium Pay Description: (1)			(2)				
Premium Pay Amount: (1)	\$ /hr.	Premium Pay Amount: (2)		\$ /hr.			
New Hourly Rate:		New Biweekly Rate:			New Base Rate:		
Budget & Workers' Comp Changes							
Current Cost Number:		Current Dept Number:		Current Workers Comp Code:			
New Cost Number:		New Dept Number:		New Workers' Comp Code:			
APPROVAL							
Dept. Head Signature:					Date:	8/15/14	
Deputy Signature: (if applicable)					Date:		
HR Director Signature:					Date:	8/15/14	
Finance Signature:					Date:	8/20/14	
Budget Review Check One:	<input type="checkbox"/> Authorized, Budgeted Position		<input type="checkbox"/> Temporary Position: funds from account(s):				
City Manager Signature:					Date:	8/18/14	

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Practitioner

[Home](#)[HR & Benefits](#)[Payroll](#)[Time & Attendance](#)[Recruiting & Staffing](#)[Reports](#)**Employee**

Expand Menu

Kern, Anthony Co/Elle #: E02/001716 Status: Active

Employee List

Help

To-Date Accumulations[Gross Pay and Taxes](#)[Accumulators](#)[Allowed and Taken](#)[Deduction Goals](#)

All amounts are as of 08-05-2014, payroll week # 32:

Find a code:

Find

6 Found 1 - 5 Rows per page:

[Add New](#)

To-Date						Adjustments		
No.	Code	Description	Allowed	Taken	Balance	Adjustment Type	Allowed	Take
3	E	Comp Time	14.25	14.25	0.00			
4	P	Personal	8.00	8.00	0.00			
1	S	Sick	562.50	44.00	518.50			
7	SPL	Special leave	32.00	32.00	0.00			
2	V	Vacation	69.80	19.50	50.30			

$$\begin{array}{r}
 50.30 \\
 + 4.62 \\
 \hline
 54.92
 \end{array}$$



City of
EL MIRAGE
Arizona
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Police Department

12401 West Cinnabar Avenue, El Mirage, AZ 85335
623-500-3000; 623-933-1341; Fax 623-500-3001
TDD 623-933-3258; www.cityofelmirage.org

MEMORANDUM

TO: Anthony Kern, Code Enforcement Officer #1716

FROM: Steven W. Campbell, Police Chief *Steven D. Campbell
Assistant Police Chief*

SUBJECT: Notice of Termination

DATE: August 14, 2014

The purpose of this memorandum is to inform you of my decision following the Disciplinary Hearing ("Meeting") on Wednesday, August 13, 2014, at 1:30 P.M. While you take responsibility for your actions which led to the investigation of these events, it does not mitigate the fact that you failed to follow through on a financial obligation with the City and misled your supervisor when asked about the progress of the agreement.

As a result, I have determined it is appropriate to proceed with the recommended termination of your employment effective at the end of your regular shift on August 14, 2014. This action is based upon the following allegations, incidents and policy violations.

Allegations

On Wednesday, May 28, 2014, Administrative Investigation #14-006-SI commenced to examine details surrounding two (2) misconduct allegations.

1. Between February 2013 and June 2014, Mr. Anthony Kern did not make all payments required by an agreement with the City of El Mirage Police and Finance Departments regarding the loss of a piece of City equipment that was assigned to him.
2. Between February 2013 and June 2014, Mr. Anthony Kern did not keep his supervisor, Sergeant Craig Cormier, properly informed of his failure to repay the City for the lost equipment. Kern misled his supervisor into believing he was making payments, when he was not.

The investigation resulted in two sustained allegations of misconduct. According to El Mirage Police Department *Operations Order 5.01, Misconduct Investigations*, the definition of *sustained* is, "The allegation is supported by sufficient evidence to justify a reasonable conclusion that the alleged misconduct occurred."

Incidents

Between February 2013 and June 2014, you failed to fulfill a financial agreement to repay the City of El Mirage for the loss of a piece of City equipment. The agreement was established between you and the City of El Mirage Police and Finance Departments for a total amount owed to the City in the amount of \$659.00. This was to be repaid to the City in \$25 monthly increments. However, you only made one payment of \$25.00 during the period in question. In addition, when your supervisor Sergeant Cormier asked you about the status of the repayment, you misled him by stating that you were taking care of the financial obligation, when in fact you were not.

Policy Violations

Based upon the information gathered through the administrative investigation, the following policies have been violated (see attached policy excerpts):

1. City of El Mirage Personnel Policy 5.5.B, Grounds for Disciplinary Action, which states in pertinent part:
 - The employee has violated an official regulation or order, has failed to obey any reasonable directions given him/her by the supervisor or other responsible City Official, or has violated any provision of this Personnel Manual. (Allegation 1)
 - The employee has provided false or misleading information in any document, report, or statement related to his or her employment with the City. (Allegation 2)
2. City of El Mirage Police Department Operations Order 1.02, Rules of Conduct (II.G.30), which states in pertinent part:
 - Personal Conduct – Employees shall not engage in acts which are subversive to the good order and discipline of the Department, or acts which tend to bring discredit to the Department, even though such conduct is not specifically set forth in these rules. (Allegation 1)
3. City of El Mirage Police Department Operations Order 1.02A, Truthfulness, which states in pertinent part:
 - It is the policy of the Department to require absolute truthfulness from every employee, when questioned by a supervisor, an administrative investigator, criminal investigator, or a polygraph examiner, regarding any subject, at any time, that is related to job responsibilities, job performance, and/or matters covered by El Mirage Police Department. (Allegation 2)

On Monday, August 11, 2014, the City of El Mirage Police Department Conduct Review Board (CRB) convened to review the details of Administrative Investigation 14-006-SI, hear testimony, and to recommend a level of discipline to the Police Chief for the misconduct in which you engaged. The CRB recommended termination.

More specifically, the basis for your termination is in accordance with 5.5.C of the City of El Mirage Personnel Policy for a violation of Section 5.5.B, Grounds for Disciplinary Action, and Police Department Operations Orders 1.02, Rules of Conduct, and 1.02.A, Truthfulness, as stated above. Therefore, in light of the facts set forth above reflecting the misconduct in which you engaged, I am terminating your employment with the City of El Mirage effective August 14, 2014.

You have the right to appeal this termination under Section 5.5.F of the City of El Mirage Personnel Policy as stated below:

Section 5.5.F - Appeal Procedure

Under this procedure, appeals must be filed in writing with the Human Resources Director within five business (5) days of the employee's receipt of the Notice of Discipline from the Department Director. The appeal shall state in detail the facts upon which it is based, the people and departments involved, and the remedy requested. Failure to file a written appeal within the time period prescribed shall constitute a waiver by the employee of further appeal of the disciplinary action.

Acknowledged, Signed, and Dated by the Employee.


Employee Signature

8-14-14
Date

A. Bayito 3054

8/14/14

***Police Department***

12401 West Cinnabar Avenue, El Mirage, AZ 85335
 623-500-3000; 623-933-1341; Fax 623-500-3001
 TDD 623-933-3258; www.cityofelmirage.org

MEMORANDUM

TO: Anthony Kern, Code Enforcement Officer #1716
 FROM: Steven W. Campbell, Police Chief
 SUBJECT: PLACEMENT ON ADMINISTRATIVE LEAVE
 DATE: June 6, 2014

Mr. Kern,

This letter will serve as notice that you are hereby placed on paid Administrative Leave effective immediately, pending the completion of Administrative Investigation 14-006-SI. You will abide by the following terms during the administrative leave:

- 1) Your immediate supervisor will be Sergeant Craig Cormier.
- 2) You will be required to contact Sergeant Cormier every day at the start and end of your normal work shift and be available by phone or text throughout your shift.
- 3) Your designated duty/work hours are Monday through Friday, 0700 to 1500 hours, during which time you will be subject to call. You are not subject to call on designated City holidays.
- 4) You will be available by phone at all times during your designated work hours and, if directed to do so, must be able to respond to a City facility within 60 minutes. Failure to respond appropriately without proper leave may result in discipline.
- 5) If you become unavailable to respond due to illness or injury you will advise your supervisor and the appropriate sick leave time will be deducted from your sick leave accrual. Sick leave taken in excess of three work days may require a physician's statement certifying the reason for sick leave.
- 6) Vacation leave must be scheduled with your supervisor.
- 7) You will be responsible for completing and submitting your timesheet marked with the appropriate hours. Your timesheet will be submitted through ADP to your supervisor no later than every other Friday 1700 hours prior to the end of the pay period. Your supervisor may perform this on your behalf unless your timesheet needs to reflect the use of any leave other than administrative.
- 8) You are prohibited from coming onto City property or from contacting any official of the City of El Mirage while on Administrative Leave without the permission of your supervisor.
- 9) You are not to contact any City employee/s while on Administrative Leave other than your representative, supervisor, Assistant Chief McDonald, or Chief Campbell.
- 10) You will honor all court subpoenas and will advise your supervisor prior to any court appearances.
- 11) You will not wear your uniform unless specifically authorized or directed by your supervisor.

12) You will not engage in any City business, projects, other work, or operate a City vehicle during the term of this leave unless otherwise approved or directed by your supervisor.

Any violations of the above listed terms of the administrative leave and/or provisions of the City and Department employee policies will be subject to the appropriate disciplinary actions up to and including termination from employment with the City of El Mirage.

These provisions will remain in effect until you are advised otherwise in writing.

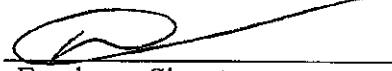


Steven W. Campbell, Police Chief 1 6-6-14

Date

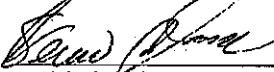
Acknowledgement/Signature

I acknowledge that the above has been discussed with me. My signature does not mean that I agree with the contents, but only that I have received, read, and understand this Notice of Administrative Leave.



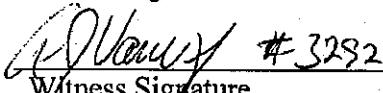
Employee Signature 1 6-6-14

Date



Chief's Signature 1 6-6-14

Date



Witness Signature 1 06/06/14

Date

CC: Human Resources
City Attorney

**City of El Mirage
PERSONNEL ACTION FORM**

HR USE ONLY

HRIS
Cigna
Benefits
Payroll

Current Employee Information

Employee Name:	Last: Kern	First: Anthony	Emp # 1716		
Original Hire Date:	3/21/05	Current Annn Date:	9/21	Current Base Rate:	\$ 31.60 /hr
Current Premium Pay Description:	Premium Pay Amount:	\$ /hr	Current Base Rate + Prem:		
Current Title: Code Enforcement Officer			Salary Range:	617	Step:
Current Dept: Development and Community Services				Max Range:	
Current Status:	FT	Position Control #:	Annual Hours:	2080	Exempt: NO
Change Reason: (5) Transfer				Effective Date: 5/01/11	

Comments:

- Transfer to Police Department.
- No change in pay rate or salary range.

Changes

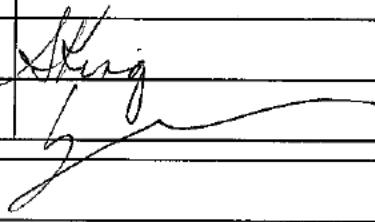
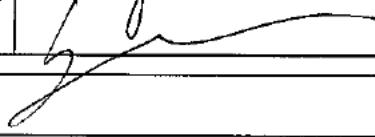
New Title:	New Position Control #:				
New Dept: Police Department	New Annn. Date:				
New Classification Date:	New Status:		New Regular hrs:	/ wk	/yr
New Salary Range:	New Step:			New FLSA Status -Exempt:	
New Premium Pay Description:	(1)	/hr	(2)	/pp	(3)
New Premium Pay Amount (1)	\$	/hr	(2)	\$	/hr
New Hourly Base Rate:	\$	/hr	New Hourly + premium Rate:		

Budget Changes

FUND:				BUDGET #	
DEPT:				BUDGET #	
OBJECT:				BUDGET #	

Next Evaluation Due: N/A

APPROVAL

Dept. Head Signature:		Date:	
HR Director Signature:		Date:	4/29/11
City Manager Signature:		Date:	5/3/11
Entered in HRB Signature Date:			



CITY OF EL MIRAGE
Human Resources
12145 NW Grand Avenue, El Mirage, AZ 85335

MEMORANDUM

TO: Anthony Kern

FROM: Sandra King, IPMA-CP, SPHR
Human Resources Director

SUBJ: Transfer to the Police Department

DATE: April 29, 2011

Please be informed that the background process is now complete, and, as a result, you will be transferred to the Police Department effective Monday, May 2, 2011. The terms and conditions of your employment remain the same, with the following exception:

- Your direct supervisor is Craig Cormier, Police Sergeant.

Please contact me if you have any questions.



CITY OF EL MIRAGE
HUMAN RESOURCES DEPARTMENT
12145 NW Grand Avenue
El Mirage, Arizona 85335

MEMORANDUM

TO: Anthony Kern
Code Enforcement Officers

FROM: Sandra King, IPMA-CP, SPHR
Human Resources Director *(Signature)*

SUBJ: Potential Amendments to Job Description
Transfer – Police Department

DATE: April 27, 2011

In accordance with the April 8th, 2011 notice regarding the transfer of the Code Enforcement Division, please also be informed that the City is currently evaluating whether to add animal control as a function of code compliance. In this event, the Code Enforcement job description will be revised to incorporate those additional job tasks, and you will be expected to perform those duties. In turn, the City will determine what, if any, additional training and equipment is necessary to perform those tasks. This evaluation should conclude in the coming months. Should it be determined that a change is needed, then and in that event, you will be provided with a copy of the revised job description.

Job descriptions are subject to change as the needs of the City and the operating requirements of the job change as outlined in the COEM Personnel Manual, Section 3.2 C.

Please acknowledge that you have received a copy of this notice.

PRINT NAME:

SIGNATURE

Anthony Kern

4-27-11

DATE



CITY OF EL MIRAGE
HUMAN RESOURCES DEPARTMENT
12145 NW Grand Avenue
El Mirage, Arizona 85335

MEMORANDUM

TO: Anthony Kern
Code Enforcement Officers

FROM: Sandra King, IPMA-CP, SPHR *(SK)*
Human Resources Director

SUBJ: Transfer to the Police Department

DATE: April 8, 2011

As you are aware, the Code Enforcement Division will be moved to the City of El Mirage (COEM) Police Department effective May 1, 2011. All current code enforcement officers will be offered a lateral transfer to one of the three Code Enforcement positions that have been acquired by the Police Department.

This letter is to provide you with notice that this lateral transfer is contingent upon the satisfactory completion of certain minimum requirements as outlined in the attached Operations Order 3.01 Recruitment and Selection of the COEM Police Department. Prior to your transfer to the Police Department, you are required to complete the background process that includes a polygraph examination, fingerprints and a criminal background investigation.

If you are unable to satisfactorily complete, or otherwise refuse to participate in, the required background examination process as outlined above, you may be subject to termination from employment due to layoff.

In order to begin the background process, please sign below and return a signed copy to the Human Resources Department by Friday, April 15, 2011.

I HAVE FULLY READ THE ABOVE PROVISIONS AND UNDERSTAND THAT MY TRANSFER TO THE POLICE DEPARTMENT IS CONTINGENT UPON THE SATISFACTORY COMPLETION OF THE REQUIRED BACKGROUND PROCESS AS OUTLINED ABOVE.

PRINT NAME: Anthony Kern

SIGNATURE 
DATE 4-8-2011

**City of El Mirage
PERSONNEL ACTION FORM**

HR USE ONLY

HRIS
Cigna
Benefits
Payroll

Current Employee Information

Employee Name:	Last: Kern	First: Anthony	Emp # 1716
Hire Date:	Current Annu Date of Annual Merit Increase:		Current Base Rate: \$ 36.95 /hr
Current Premium Pay Description:	Premium Pay Amount:	\$ /hr	Current Base Rate + Prem: \$ /hr
Current Title: Code Enforcement Coordinator			Salary Range: 619 Step:
Current Dept:			Max Range:
Current Status:	Position Control #:		Annual Hours: Exempt:
Change Reason:	8 - Demotion		Data Scanned to Payroll: Effective Date: 7/1/2010
Comments: <ul style="list-style-type: none"> Demotion in lieu of layoff due to elimination of current position Demotion to Code Enforcement Officer effective 7/1/2010 at max of Range 617 at \$31.60/hr 			

Changes

New Title:	Code Enforcement Officer		New Position Control #:		
New Dept:	New Annu. Date of Merit Increase :				
New Classification Date:	New Status:		New Regular hrs:	/ wk	/yr
New Salary Range:	617	New Step:			New FLSA Status -Exempt:
New Premium Pay Description:	(1) /hr	(2) /pp	(3)		
New Premium Pay Amount (1)	\$ /hr	(2) \$ /pp	\$ /hr	/hr	/hr
New Hourly Base Rate:	\$ 31.60 /hr	New Hourly + premium Rate:			\$ /hr

Budget Changes

FUND:				BUDGET #
DEPT:				BUDGET #
OBJECT:				BUDGET #

Next Evaluation Due:

APPROVAL

Dept. Head Signature:			Date:	
HR Director Signature:	<i>Anthony Brown</i>		Date:	<i>7/7/10</i>
Assistant City Manager:			Date:	
City Manager Signature:	<i>J. J. Brown</i>		Date:	<i>7/7/10</i>
Received by Payroll Signature:	<i>HRB/SK</i>	Date: <i>8/9/10</i>	CITY OF EL MIRAGE HUMAN RESOURCES	

NOTE TO PAYROLL: Annual Salary over \$50,000 is a taxable fringe benefit for purposes of Group Life Insurance.

RECEIVED

JUL 13 2010

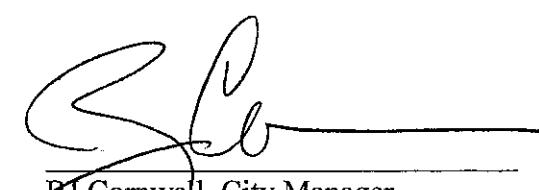


City of El Mirage

MEMORANDUM

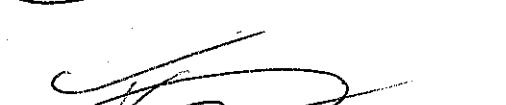
To: Anthony Kern, Code Enforcement Coordinator
From: BJ Cornwall, City Manager
Date: June 29, 2010
RE: Notice of Elimination of Position and Demotion

By this memo I am notifying you the City has decided to eliminate your position of Code Enforcement Coordinator effective at 5:00 p.m. on June 30, 2010. The basis for the City's decision to eliminate the Code Enforcement Coordinator position is purely a matter of economics. Therefore, effective July 1, 2010, you will be demoted to the position of Code Enforcement Officer. This demotion is not a disciplinary action but simply a result of the City's economic situation. Your salary will be reduced to the top of the range for the Code Enforcement Officer position.



BJ Cornwall, City Manager

I hereby acknowledge receipt of the above.



Anthony Kern

CITY OF EL MIRAGE
HUMAN RESOURCES

JUL 07 2010

RECEIVED

City of El Mirage
PERSONNEL ACTION FORM

HR USE ONLY

HRIS
Cigna
Benefits
Payroll

Current Employee Information

Employee Name: Last: Kern		First: Anthony		Emp # 1716	
Hire Date: 3/21/05	Current Annv Date of Annual Merit Increase: 9/21/05		Current Base Rate: \$ 31.60 /hr		
Current Premium Pay Description:		Premium Pay Amount: \$ /hr	Current Base Rate + Prem: \$ /hr		
Current Title: Code Enforcement Officer			Salary Range: 617		Step:
Current Dept: Community Development				Max Range :	
Current Status: FT	Position Control #:		Annual Hours: 2080	Exempt: N	
Change Reason: (20) Annual Review			Data Scanned to Payroll:	Effective Date: 10/03/10	

Comments:

- No merit increase due to the budget for FY 10-11.

Changes

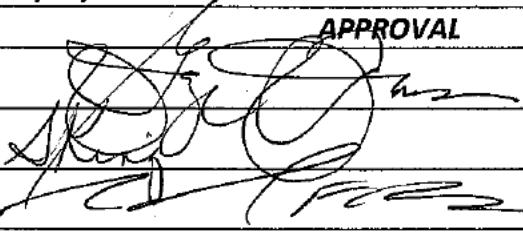
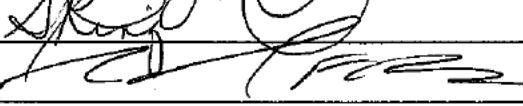
New Title:	New Position Control #:				
New Dept:	New Annv. Date of Merit Increase :				
New Classification Date:	New Status:		New Regular hrs:	/ wk	/yr
New Salary Range:	New Step:			New FLSA Status -Exempt:	
New Premium Pay Description:	(1) /hr	(2)	/pp	(3)	
New Premium Pay Amount (1)	\$ /hr	(2) \$	/pp	\$	/hr
New Hourly Base Rate:	\$ /hr	New Hourly + premium Rate:			\$ /hr

Budget Changes

FUND:				BUDGET #		
DEPT:				BUDGET #		
OBJECT:				BUDGET #		

Next Evaluation Due: 9/21/11

APPROVAL

Dept. Head Signature:				Date: 10.19.2010
HR Director Signature:				Date: 10/18/10
City Manager Signature:				Date: 10/23/10

Entered in HRB
Signature Date:

JUN 29 2010

City of El Mirage
PERSONNEL ACTION FORM

HR USE ONLY
HRIS
Cigna
Benefits
Payroll

RECEIVED*Current Employee Information*

Employee Name:	Last: Kern	First: Anthony	Emp # 1716
Hire Date: 3/21/2006	Current Annv Date of Annual Merit Increase:		Current Base Rate: \$ 31.60 /hr
Current Premium Pay Description:	Premium Pay Amount:	\$ /hr	Current Base Rate + Prem: \$ 31.60 /hr
Current Title: Code Enforcement Officer			Salary Range: 617 Step:
Current Dept: Community Development			Max Range: N
Current Status: 1 - FT	Position Control #: 10-545-001	Annual Hours: 2080	Exempt: N
Change Reason: 20 Other - Correction	Data Scanned to Payroll:		Effective Date: 6/27/2010
Comments: <ul style="list-style-type: none"> • Reinstate title to Code Enforcement Coordinator • Pay retro pay at difference between new base rate of \$36.95/hr and former base rate of \$31.60/hr from 5/24/10 through current pay period. 			

Changes

New Title: Code Enforcement Coordinator	New Position Control #:		
New Dept:	New Annv. Date of Merit Increase :		
New Classification Date:	New Status:	New Regular hrs:	/ wk /yr
New Salary Range:	New Step:		New FLSA Status-Exempt:
New Premium Pay Description:	(1) /hr	(2) /pp	(3)
New Premium Pay Amount (1)	\$ /hr	\$ /pp	\$ /hr
New Hourly Base Rate:	\$ 36.95 /hr	New Hourly + premium Rate: \$ /hr	

Budget Changes

FUND:	BUDGET #		
DEPT:	BUDGET #		
OBJECT:	BUDGET #		

Next Evaluation Due:*APPROVAL*

Dept. Head Signature:		Date: 6/21/2010
HR Director Signature:		Date: 6/21/10
Assistant City Manager:		Date: 6/22/10
City Manager Signature:		Date: 6/22/10
Received by Payroll Signature:	Date: 7/7/10	HR Mgr: _____ Date: _____

NOTE TO PAYROLL: Annual Salary over \$50,000 is a taxable fringe benefit for purposes of Group Life Insurance.

City of El Mirage
PERSONNEL ACTION FORM

HR USE ONLY

11-20-09	HRIS Cigna Benefits Payroll
V.E.	

Current Employee Information

Employee Name:	Last: Kern			First: Anthony		Emp #	1716
Hire Date:	3/21/05	Anny Date of Annual Merit Increase: 9/21/05			Current Base Rate: \$ 35.87 /hr.		
Current Premium Pay Description:			Premium Pay Amount:	\$	/hr.	Current Base Rate + Prem:	\$ /hr.
Current Title:	Code Enforcement Coordinator				Salary Range: 619		Step:
Current Dept:	Community Development				Max Range :		
Current Status:	FT	Position Control #:			Annual Hours:	2080	Exempt: N
Change Reason:	(11) Annual Increase			Data Scanned to Finance/Payroll:			Effective Date: 10/04/09
Comments: • 3% Annual increase effective 10/04/09. • Pay retro pay from 10/04/09 to current pp.							

Changes

New Title:	Position Control:						
New Dept:				New Anny. Date of Merit Increase :			
New Classification Date:		New Status:		New Regular hrs:	/ wk	/yr	
New Salary Range:		New Step:		New FLSA:			
New Premium Pay Description:	(1)				(2)		
New Premium Pay Amount (1)	\$	/hr.	New Premium Pay Amount (2)				\$ /hr.
New Hourly Base Rate:	\$ 36.95	/hr.	New Hourly + premium Rate:				\$ /hr.

Budget Changes

FUND:				BUDGET #	
DEPT:				BUDGET #	
OBJECT:				BUDGET #	

Next Evaluation Due: 9/21/10

APPROVAL

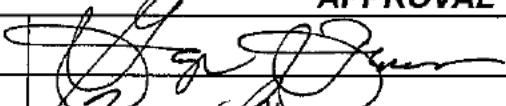
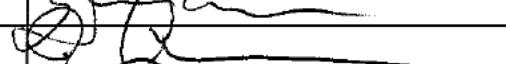
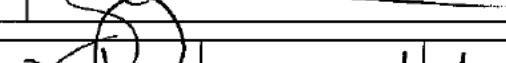
Dept. Head Signature:			Date:	10-21-2009
HR Director Signature:			Date:	10/21/09
Assistant City Manager:			Date:	10/22/09
City Manager Signature:			Date:	

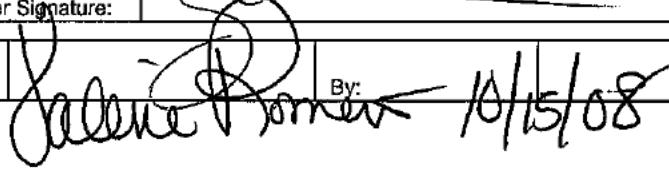
Received by Payroll Signature:	Date: 10/21/09	HR Mgr:	Date: 10/21/09
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NOTE TO PAYROLL: Annual Salary over \$50,000 is a taxable fringe benefit for purposes of Group Life Insurance.

City of El Mirage

PERSONNEL ACTION FORM

<i>Current Employee Information</i>							
Employee Name:	Last: Kern		First: Anthony			Emp #	1716
Hire Date:	3/21/05	Anniv Date of Annual Merit Increase: 9/21/05			Current Base Rate:	\$ 34.83	/hr.
Current Premium Pay Description:			Premium Pay Amount:	\$ /hr.	Current Base Rate + Prem: \$ /hr.		
Current Title:	Code Enforcement Coordinator			Salary Range:		619	Step:
Current Dept:	Community Development				Max Range :		
Current Status:	FT	Position Control #:		Annual Hours:	2080	Exempt:	N
Change Reason:	Annual Merit Increase			Effective Date:		9/21/08	
Comments: <ul style="list-style-type: none">• 3% annual merit increase effective 9/21/08 per Article 5 – Section 4 Advancement• Pay retro pay from 9/21/08 to current pp							
<i>Changes</i>							
New Title:							
New Dept:				New Position Control #:			
New Anniv Date:		New Status:		New Regular hrs:	/ wk	/yr	
New Salary Range:		New Step:		New FLSA:			
New Hourly Base Rate:	\$ 35.87/hr						
New Premium Pay Description:							
New Premium Pay Amount:	\$ /hr.	New Hourly + premium Rate:			\$ /hr.		
<i>Budget Changes</i>							
FUND:				BUDGET #:			
DEPT:				BUDGET #:			
OBJECT:				BUDGET #:			
Next Evaluation Due: 9/21/09							
<i>APPROVAL</i>							
Dept. Head Signature:				Date:	10/9/08		
HR Director Signature:				Date:	10/9/08		
Assistant City Manager:				Date:	10/14/08		
City Manager Signature:				Date:	10/14/08		
To Payroll:	By:				Entered:		

 10/15/08

City of El Mirage
PERSONNEL ACTION FORM

Current Employee Information							
Employee Name:	Last: KERN		First: ANTHONY	Emp # 1716			
Hire Date:	3/21/05	Anniv Date:	9/21/05	Current Base Rate:	\$33.17		/hr.
Current Title:	CODE ENFORCEMENT COOR.		Max Range:	Salary Range:		619	Step:
Current Dept:	COMMUNITY DEVELOPMENT			Position Cntr #:			
Status:	FT	Annual Hours:	2080	Exempt:	NO		
Change Reason:	ANNUAL MERIT INCREASE				Effective Date:	9/23/07	
Comments:	<p><i>5.0%</i></p> <ul style="list-style-type: none"> • 5.0% MERIT INCREASE EFFECTIVE 9/23/07 PER ARTICLE 5 – SECTION 4 ADVANCEMENT • PAY RETRO PAY FROM 9/23/07 TO CURRENT PP 						
Changes							
New Title:							
New Dept:				New Position Cntr #:			
New Anniv Date:		New Status:		New Regular hrs:		/ wk	/yr
New Salary Range:		New Step:		New FLSA:			
New Hourly Base Rate:	\$34.50/hr \$ 34.83/m						
Premium Pay Description:							
Premium Pay Amount:	\$	/hr.	New hourly + premium Rate:	\$	/hr.		
Budget Changes							
FUND:				BUDGET #:			
DEPT:				BUDGET #:			
OBJECT:				BUDGET #:			
Next Evaluation Due: 9/21/08							
APPROVAL							
Dept. Head Signature:	<i>Steve Davis</i>			Date:	7.22.2008		
HR Director Signature:	<i>Donna Brown</i>			Date:	7-24-08		
Assistant City Manager:	<i>SGC</i>			Date:	7/28/08		
City Manager Signature:	<i>SGC</i>			Date:	7/29/08		
To Payroll:	<i>X</i>	By:		Entered:			
<i>Julie Romer 7/30/08</i>							

City of El Mirage
PERSONNEL ACTION FORM

<i>Current Employee Information</i>						
Employee Name:	Last: KERN		First: ANTHONY	Emp #	1716	
Hire Date:		Annv Date:		Current Base Rate:		/hr.
Current Title:	CODE ENFORCEMENT COORDINATOR			Salary Range:		Step:
Current Dept.:	COMMUNITY DEVELOPMENT			Position Cntr #:		
Status:		Annual Hours:		Exempt:		
Change Reason:	ONE DAY SUSPENSION WITHOUT PAY			Effective Date:	7/10/08	
Comments:	<ul style="list-style-type: none"> • EFFECTIVE 7/10/08 ONE DAY SUSPENSION WITHOUT PAY PER ARTICLE 6 – SECTION 5 - SUSPENSION AS AMENDED BY RESOLUTIONS # R05-01-02 AND R06-06-18 					
<i>Changes</i>						
New Title:						
New Dept.:				New Position Cntr #:		
New Anniv Date:		New Status:		New Regular hrs.:	/ wk	/yr
New Salary Range:		New Step:		New FLSA:		
New Hourly Base Rate:						
Premium Pay Description:						
Premium Pay Amount:	\$	/hr.	New hourly + premium Rate:	\$	/hr.	
<i>Budget Changes</i>						
FUND:		BUDGET #:				
DEPT:		BUDGET #:				
OBJECT:		BUDGET #:				
Next Evaluation Due: N/A						
<i>APPROVAL</i>						
Dept. Head Signature:				Date:	7-9-08	
HR Director Signature:				Date:	7/9/08	
Assistant City Manager:				Date:		
City Manager Signature:				Date:	7/17/08	
To Payroll:	By:			Entered:		

City of El Mirage
PERSONNEL ACTION FORM

<i>New Hire/Current Employee Information</i>						
Employee Name:	Last: KERN			First: ANTHONY	Emp #	
Hire Date:	3/21/2005	Anniv Date:		Current Base Rate:	\$32.20	/hr.
Current Title:	CODE ENFORCEMENT COORDINATOR			Salary Range:		Step:
Current Dept:	10-545					
Status:		Annual Hours	2080	Exempt:	NON EXEMPT	
Change Reason:				Effective Date:	July 1, 2007	
Comments:	<ul style="list-style-type: none"> • 3% COLA increase as approved in FY 07-08 budget 					
<i>Changes</i>						
New Title:						
New Dept:						
New Anniv Date:		New Status:		New Regular hrs:	/ wk	/yr
New Salary Range:		New Step:		New FLSA:		
New Hourly Base Rate:	\$ 33.17					
Premium Pay Description:						
Premium Pay Amount:	/hr.	New hourly + premium Rate:			\$ 33.17 /hr.	
<i>Budget Changes</i>						
FUND:		BUDGET #				
DEPT:		BUDGET #				
OBJECT:		BUDGET #				
Next Evaluation Due:						
<i>APPROVAL</i>						
Dept. Head Signature:		Date:				
Finance Director Signature:		Date:				
HR Director Signature:	Toni Brown	Date:	7/11/2007			
City Manager Signature:		Date:				
To Payroll:	By:			Entered:		

CITY OF EL MIRAGE
Personnel Action Form

REVISION – 11/09/2006

Employee Name:	ANTHONY KERN	Effective Date of Action:	October 22, 2006
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Type of Action:

X Salary Plan Adjustment

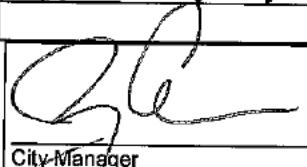
Update Employee Record as Follows:

	Current	New
Job Title	CODE INSPECTOR I	CODE ENFORCEMENT COORDINATOR
Salary Range	54	619
Base Salary	\$29.95 per hour	\$32.20 per hour
Total Salary	\$29.95 per hour	\$32.20 per hour

COMMENTS:

Salary Plan/Adjustment Effective 10/22/2006

Approved by City Council on 10/12/2006.

City Manager

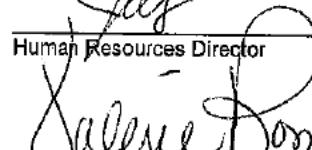
11/6/06
Date

Finance Director

11/9/06
Date

Human Resources Director

11/14/06
Date

Payroll Specialist

11/14/06
Date

CITY OF EL MIRAGE

Personnel Action Form

Employee Name:	ANTHONY KERN	Effective Date of Action:	October 22, 2006
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Type of Action:

Salary Plan Adjustment

Update Employee Record as Follows:

	Current	New
Job Title	CODE INSPECTOR I	CODE ENFORCEMENT COORDINATOR
Salary Range	54	619
Base Salary	\$29.95 per hour	\$31.45 per hour
Total Salary	\$29.95 per hour	\$31.45 per hour

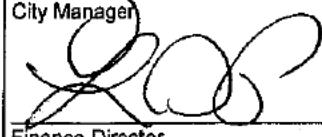
~~62,296~~

~~65,716~~ 32,20

COMMENTS:

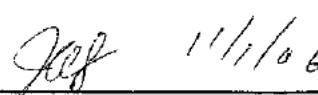
Salary Plan/Adjustment Effective 10/22/2006

Approved by City Council on 10/12/2006.


City Manager

Finance Director

11/1/06

11/02/06


Human Resources Director

11/1/06


Payroll Specialist

11/02/06

CITY OF EL MIRAGE
Personnel Action Form

*** REVISION 12/22/06***

Employee Name:	ANTHONY THOMAS KERN	Effective Date of Action:	SEPTEMBER 21, 2006
Social Security #		FLSA Status:	Non-Exempt
Employee #	1716	Budget Acct. #	10-545-110
Employee Address: Phone:		Current Supervisor	Sharon Antes Public Works Executive Assistant

Type of Action:

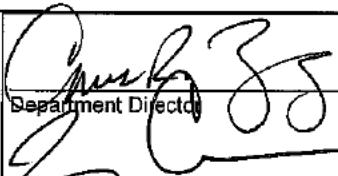
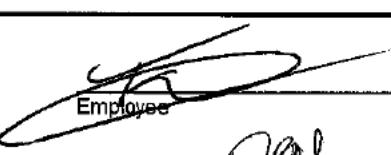
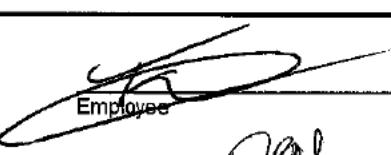
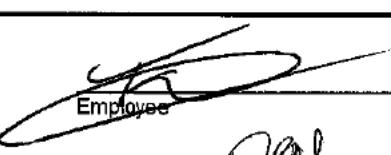
<input type="checkbox"/> New Hire: Full-time	<input checked="" type="checkbox"/> Merit Increase
<input type="checkbox"/> New Hire: Part-time Hours per week: _____	<input type="checkbox"/> Assignment/Incentive Pay (add)
<input type="checkbox"/> Temporary/Interim Employment /Seasonal	<input type="checkbox"/> Assignment/Incentive Pay (remove)
<input type="checkbox"/> Probation Completed	<input type="checkbox"/> Salary Plan Adjustment
<input type="checkbox"/> Probation Extended Until _____	<input type="checkbox"/> Performance Award
<input type="checkbox"/> Transfer	<input type="checkbox"/> Title Change
<input type="checkbox"/> Change in Work Schedule/Hours	<input type="checkbox"/> Reinstatement
<input type="checkbox"/> Promotion	<input type="checkbox"/> Retirement under ASRS/PSPRS
<input type="checkbox"/> Demotion	<input type="checkbox"/> Termination/Resignation
<input type="checkbox"/> Reclassification	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Leave of Absence	

Update Employee Record as Follows:

POSITION# 541-0102	Current	New
Job Title	Code Enforcement Coordinator	
Department	Planning	
Budget Account #	10-545-110	
Work Schedule	40 hours per week	
Classification #	54	
Hourly Rate of Pay	\$29.95 per hour	\$29.95 per hour
Promotion		
Miscellaneous; Assignment / Incentive Pay		
Total Pay	\$29.95 per hour	\$29.95 per hour

ADD REMOVE
Assignment/Incentive Pay for: _____ % Pay Amount: _____

COMMENTS: EFFECTIVE: September 21, 2006, Employee is currently at the top of salary range at \$61,853.00 and has been increased per classification scale FY 05/06. Currently employee is at \$62,296.00, no change due to classification range based upon performance review and being overpaid at time of salary review no salary change at this time.
Evaluation period: 09/21/05 to 09/21/06 Next Evaluation Due: 09/21/07

 Department Director	12/22/06 Date	 City Manager	12/22/06 Date
 Payroll Specialist	12/22/06 Date	 Human Resources Director	12/22/06 Date

Original: Personnel File
Copy: Employee
Copy: Payroll

Code Enforcement Officer 54 \$41,235 \$51,544 \$61,853 E

CITY OF EL MIRAGE
Personnel Action Form

REVISION – 11/09/2006

Employee Name:	ANTHONY KERN	Effective Date of Action:	October 22, 2006
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Type of Action:

Salary Plan Adjustment

Update Employee Record as Follows:

	Current	New
Job Title	CODE INSPECTOR I	CODE ENFORCEMENT COORDINATOR
Salary Range	54	619
Base Salary	\$29.95 per hour	\$32.20 per hour
Total Salary	\$29.95 per hour	\$32.20 per hour

COMMENTS:

Salary Plan/Adjustment Effective 10/22/2006

Approved by City Council on 10/12/2006.


City Manager

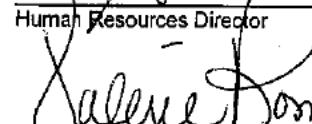
11/6/06
Date


Finance Director

11/9/06
Date


Human Resources Director

11/14/06
Date


Payroll Specialist

11/14/06
Date

0 · *

$$\begin{array}{r} 62,296 \cdot x \\ 0 \cdot 05 = \\ 3,114 \cdot 8 * \end{array}$$

$$\begin{array}{r} 62,296 \cdot x \\ 0 \cdot 025 = \\ 1,557 \cdot 4 * \end{array}$$

$$\begin{array}{r} 1,557 \cdot 4 + \\ 3,114 \cdot 8 + \\ 62,296 \cdot + \\ \hline 66,968 \cdot 2 \end{array}$$

132²⁸ *
132²⁸ *

0 · *

0 · *



10/16/06
City of El Mirage
City Manager's Office
12145 N.W. Grand Ave, El Mirage, AZ

*For Harry
OK to
Revised
calendar*

area D

October 30, 2006

Anthony Kern

Dear Anthony:

The City of El Mirage retained the Waters Consulting Group, Inc., (WCG) to perform a comprehensive market review of its current compensation program for all regular information for our positions. The WCG recommended, and the City Council approved the attached Classification and Compensation Schedule. Once approved, City staff recommended to my office, and I have approved, the following criteria to place individual employees into the new pay grades:

- Raise all salaries to the minimum of the new pay grade, or increase salaries 5%, whichever is greater.
- Additionally, increase salaries according to each employee's Time in Position (TIP) according to the following:
 - 0 to 1 year TIP = 0% increase
 - 1 to 2 years TIP = 2.5% increase
 - 2 to 5 years TIP = 3.5% increase
 - 5 years and over = 5% increase

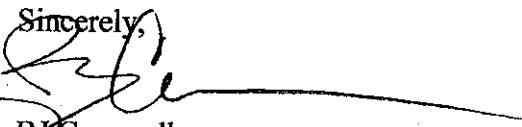
If the TIP adjusted salary is less than the Average Market Salary and TIP is three (3) years or greater, salaries will be the higher of the Average Market Salary or the TIP adjusted salary above.

Anthony, currently your job title is CODE INSPECTOR 1, your pay grade is 54, and your salary is \$62,296. Your new job title is CODE ENFORCEMENT COORDINATOR, your new pay grade is 619 (\$52,689 - \$79,033), your TIP is 1.07, and your new base salary is \$65,411. The effective date of the salary adjustments is October 22, 2006. If you have any questions, please contact Larry D. Price in the Finance department.

1/3 - 66,968

Thank you for your hard work.

Sincerely,


BJ Cornwall
City Manager

CITY OF EL MIRAGE
Personnel Action Form

Employee Name:	ANTHONY THOMAS KERN	Effective Date of Action:	SEPTEMBER 21, 2006
Social Security #		FLSA Status:	Non-Exempt
Employee #	1716	Budget Acct. #	10-545-110
Employee Address: Phone:		Current Supervisor	Sharon Antes Public Works Executive Assistant

Type of Action:

New Hire: Full-time
 New Hire: Part-time Hours per week: _____
 Temporary/Interim Employment /Seasonal
 Probation Completed
 Probation Extended Until _____
 Transfer
 Change in Work Schedule/Hours
 Promotion
 Demotion
 Reclassification
 Leave of Absence

Merit Increase
 Assignment/Incentive Pay (add)
 Assignment/Incentive Pay (remove)
 Salary Plan Adjustment
 Performance Award
 Title Change
 Reinstatement
 Retirement under ASRS/PSPRS
 Termination/Resignation
 Other: _____

Update Employee Record as Follows:

POSITION# 541-0102	Current	New
Job Title	CODE ENFORCEMENT COORDINATOR	
Department	Planning	
Budget Account #	10-545-110	
Work Schedule	40 hours per week	
Classification #	619	
Hourly Rate of Pay	\$32.20 hour	\$33.81 per hour
Promotion		
Miscellaneous; Assignment / Incentive Pay		
Total Pay	\$32.20 hour	\$33.81 per hour

ADD REMOVE
 Assignment/Incentive Pay for: _____ % Pay Amount: _____

COMMENTS: Effective Date: September 21, 2006, 5% annual merit increase based on performance review.

Evaluation period: 09/21/05 to 09/21/06

Next Evaluation Due: 09/21/07

Sharon Antes for 9/21/06
Department Director

Date

12/6/06

City Manager

Date

12/6/06

Payroll Specialist

Date

12/6/2006

Employee

Date

12/6/06

Human Resources Director

Date

12/6/06

Original: Personnel File
 Copy: Employee
 Copy: Payroll

CITY OF EL MIRAGE
Personnel Action Form

Employee Name:	ANTHONY THOMAS KERN	Effective Date of Action:	SEPTEMBER 21, 2006
Social Security #		FLSA Status:	Non-Exempt
Employee #	1716	Budget Acct. #	10-545-110
Employee Address: Phone:		Current Supervisor	Sharon Antes Public Works Executive Assistant

Type of Action:

<input type="checkbox"/> New Hire: Full-time	<input checked="" type="checkbox"/> Merit Increase
<input type="checkbox"/> New Hire: Part-time Hours per week: _____	<input type="checkbox"/> Assignment/Incentive Pay (add)
<input type="checkbox"/> Temporary/Interim Employment /Seasonal	<input type="checkbox"/> Assignment/Incentive Pay (remove)
<input type="checkbox"/> Probation Completed	<input type="checkbox"/> Salary Plan Adjustment
<input type="checkbox"/> Probation Extended Until _____	<input type="checkbox"/> Performance Award
<input type="checkbox"/> Transfer	<input type="checkbox"/> Title Change
<input type="checkbox"/> Change in Work Schedule/Hours	<input type="checkbox"/> Reinstatement
<input type="checkbox"/> Promotion	<input type="checkbox"/> Retirement under ASRS/PSPRS
<input type="checkbox"/> Demotion	<input type="checkbox"/> Termination/Resignation
<input type="checkbox"/> Reclassification	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Leave of Absence	

Update Employee Record as Follows:

POSITION# 541-0102	Current	New
Job Title	CODE ENFORCEMENT COORDINATOR	
Department	Planning	
Budget Account #	10-545-110	
Work Schedule	40 hours per week	
Classification #	619	
Hourly Rate of Pay	\$32.20 hour	\$33.16 per hour
Promotion		
Miscellaneous: Assignment / Incentive Pay		
Total Pay	\$32.20 hour	\$33.16 per hour

ADD REMOVE
Assignment/Incentive Pay for: _____ % Pay Amount _____

COMMENTS: Effective Date: September 21, 2006, 3% annual merit increase based on performance review.

Evaluation period: 09/21/05 to 09/21/06

Next Evaluation Due: 09/21/07

Department Director	Date
<i>[Signature]</i>	11/4/06
City Manager	Date
<i>[Signature]</i>	
Payroll Specialist	Date
<i>[Signature]</i>	

Employee	Date
<i>[Signature]</i>	
Human Resources Director	Date
<i>[Signature]</i>	

Original: Personnel File
Copy: Employee
Copy: Payroll

CITY OF EL MIRAGE
Personnel Action Form

Employee Name:	ANTHONY KERN	Effective Date of Action:	October 22, 2006
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Type of Action:

Salary Plan Adjustment

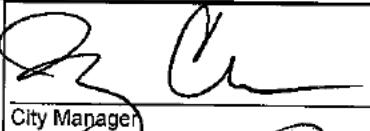
Update Employee Record as Follows:

Job Title	Current	New
CODE INSPECTOR 1		CODE ENFORCEMENT COORDINATOR
Salary Range	54	619
Base Salary	\$29.95 per hour	\$31.45 per hour
Total Salary	\$29.95 per hour	\$31.45 per hour

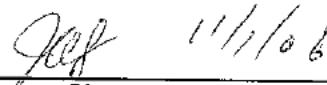
COMMENTS:

Salary Plan/Adjustment Effective 10/22/2006

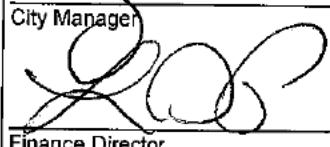
Approved by City Council on 10/12/2006.


City Manager

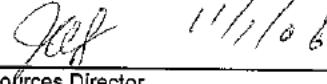
11/1/06
Date


Human Resources Director

11/1/06
Date


Finance Director

11/02/06
Date


Payroll Specialist

11/02/06
Date

CITY OF EL MIRAGE
Personnel Action Form

Employee Name:	ANTHONY THOMS KERN	Effective Date of Action:	9/21/05
Social Security #		FLSA Status:	Non-Exempt
Employee #	1716	Budget Acct. #	10-545-110
Employee Address: Phone:		Current Supervisor	Sharon Antes Public Works Executive Asst.

Type of Action:

<input type="checkbox"/> New Hire: Full-time	<input checked="" type="checkbox"/> Merit Increase
<input type="checkbox"/> New Hire: Part-time Hours per week: _____	<input type="checkbox"/> Assignment/Incentive Pay (add)
<input type="checkbox"/> Temporary/Interim Employment /Seasonal	<input type="checkbox"/> Assignment/Incentive Pay (remove)
<input type="checkbox"/> Probation Completed	<input type="checkbox"/> Salary Plan Adjustment
<input checked="" type="checkbox"/> Probation Extended Until _____	<input type="checkbox"/> Performance Award
<input type="checkbox"/> Transfer	<input type="checkbox"/> Title Change
<input type="checkbox"/> Change in Work Schedule/Hours	<input type="checkbox"/> Reinstatement
<input type="checkbox"/> Promotion	<input type="checkbox"/> Retirement under ASRS/PSPRS
<input type="checkbox"/> Demotion	<input type="checkbox"/> Termination/Resignation
<input type="checkbox"/> Reclassification	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Leave of Absence	

Update Employee Record as Follows:

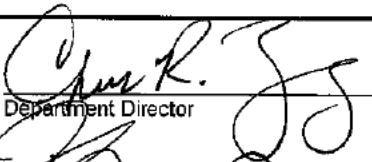
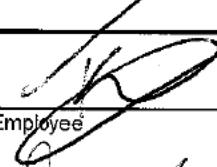
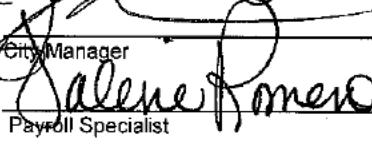
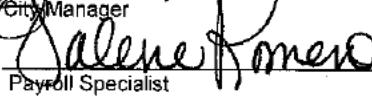
POSITION# 541-0102	Current	New
Job Title	Code Inspector 1	
Department	Planning	
Budget Account #	10-545-110	
Work Schedule	40 hours	
Salary Range	54	
Base Salary	\$28.80 per hour	\$29.95 per hour
Promotion		
Miscellaneous; Assignment / Incentive Pay		
Total Salary	\$28.80 per hour	\$29.95 per hour

ADD REMOVE
 Assignment/Incentive Pay for: _____ % Pay Amount: _____

**COMMENTS: Effective: September 21, 2005, 4% merit increase for completing a six month
Probationary period successfully based on performance review.**

Review Period: 03/21/05 to 09/21/05

Next Evaluation Due: 09/21/06

		6/15/06			6/15/06
Department Director	Date	Employee	Date		
		6/15/06			6/16/06
City Manager	Date	Human Resources Director	Date		
		6/15/06			
Payroll Specialist	Date				

Original: Personnel File
 Copy: Employee
 Copy: Payroll

City of El Mirage
Personnel Action Form

Employee Name:	Anthony Thomas Kern	Effective Date of Action:	9/14/05
Social Security #		FLSA Statutes:	Non-exempt
Employee #	1716	Budget Acct. #	10-545-110
Employee Address		Current Supervisor:	Sharon Antes Public Works Executive Asst.
Phone:			

Type of Action:

New Hire: Full-time	<input checked="" type="checkbox"/>	Merit Increase
New Hire: Part-time Hours per week:	<input type="checkbox"/>	Assignment/Incentive Pay (add)
Temporary/Interim Employment /Seasonal	<input type="checkbox"/>	Assignment/Incentive Pay (remove)
X Probation Completed	<input type="checkbox"/>	Salary Plan Adjustment
Probation Extended Until _____	<input type="checkbox"/>	Performance Award
Transfer	<input type="checkbox"/>	Title Change
Change in Work Schedule/Hours	<input type="checkbox"/>	Reinstatement
Promotion	<input type="checkbox"/>	Retirement under ASRS/PSPRS
Demotion	<input type="checkbox"/>	Termination/Resignation
Reclassification	<input type="checkbox"/>	Other:
Leave of Absence	<input type="checkbox"/>	

Update Employee Record as Follows:

POSITION# 541-0102	Current	
Job Title	Code Inspector 1	
Department	Planning	
Budget Account #	10-545-110	
Work Schedule	40 hours	
Salary Range	54	
Base Salary	\$28.80 per hour	\$29.66 per hour
Promotion		
Miscellaneous; Assignment/incentive Pay		
Total Salary	\$28.80 per hour	\$29.66 per hour

4% Pen BJG

ADD	REMOVE	
Assignment/Incentive Pay for:		% Pay Amount

EFFECTIVE: September 21, 2005, 3% merit increase for completing a six month probationary period successfully based on performance review.

Review Period: 03/21/05 to 09/21/05 Next Evaluation Due: 09/21/06

Approval/Authorization

<i>Mark L. S.</i> 6/15/06 Department Director	<i>K.</i> 6/14/06 Employee
<i>C. C.</i> City Manager	<i>Joseph Schaffner</i> 6/15/06 Human Resources Director
Payroll Initials	

MJD

City of El Mirage
Personnel Action Form

Employee Name:	ANTHONY THOMAS KERN	Effective Date of Action:	21 March 14, 2005
Social Security #		FLSA Statutes:	Non-Exempt
Employee #	1716	Budget Acct. #	10-541-110
Employee Address			Sharon Antes Public Works Executive Assit.
Phone:		Current Supervisor:	

Type of Action:

<input checked="" type="checkbox"/> New Hire: Full-time	Merit Increase
<input type="checkbox"/> New Hire: Part-time Hours per week: _____	Assignment/Incentive Pay (add)
<input type="checkbox"/> Temporary/Interim Employment /Seasonal	Assignment/Incentive Pay (remove)
<input type="checkbox"/> Probation Completed	Salary Plan Adjustment
<input type="checkbox"/> Probation Extended Until: _____	Performance Award
<input type="checkbox"/> Transfer	Title Change
<input type="checkbox"/> Change in Work Schedule/Hours	Reinstatement
<input type="checkbox"/> Promotion	Retirement under ASRS/PSPRS
<input type="checkbox"/> Demotion	Termination/Resignation
<input type="checkbox"/> Reclassification	Other: Adj add Detective Assg Pay
<input type="checkbox"/> Leave of Absence	

Update Employee Record as Follows:

Position# 541-0102	Current
Job Title	CODE INSPECTOR 1
Department	Building Planning
Budget Account #	10-541-110
Work Schedule	40 hours
Salary Range	
Base Salary	\$28.80 per hr (\$59,904.00 annual)
Miscellaneous; Assignment/Incentive Pay	
Total Salary	\$28.80 per hr (\$59,904.00 annual)

ADD REMOVE

Assignment/Incentive Pay for:	%	Pay Amount
-------------------------------	---	------------

21

Effective: March 14, 2005, New Hire with a six-month probationary period.

May be eligible for a merit increase, depending on performance and availability of funds.

Eligible for health insurance benefits (medical, dental, vision, life) after 1st of the month following 30 days of employment.

Next Evaluation Due: September 14, 2005

Approval/Authorization

Sharon Antes
Department Director


3/19/05

Employee

City Manager

Leica W. Hoover 3/8/05
Human Resources Director

Payroll Initials

D. Dufresne 3/27/05



City of El Mirage Human Resources Department

P.O. Box 26 El Mirage, AZ 85335 (623) 935-5672 Fax (623) 935-5679

March 10, 2005

VIA HAND DELIVERED

Anthony Thomas Kern

Subject: Offer of Employment – CODE INSPECTOR 1

Dear Anthony:

Congratulations on being selected for the position of Code Inspector 1 with the City of El Mirage Building Department. Your starting salary will be \$59,904.00 annually that equals to \$28.80 an hour. After successfully completing the required six-month probationary period, you may be eligible for a merit increase, depending on level of performance, availability of funds and pay range step. You are eligible for health insurance benefits (medical, dental, vision, life) after completing 30 days of employment. The insurance effective date will be the first of the month following 30 days of employment. The City pays 100% of the employee's premium for health insurance and 70% for dependent coverage. Attached are the current rates for dependent coverage through February 2006.

It has been agreed that your tentative starting date will be Monday, March 21, 2005. Your direct supervisor will be Sharon Antes, Public Works Executive Assistance. Please report to the Human Resources Office located at 12145 NW Grand Ave., Suite 8, El Mirage, AZ. at 8:00 a.m.

If you agree to these terms, please sign below, and return to me as soon as possible.

We look forward to seeing you on Monday, March 21, 2005, and working with you on our team here at the City of El Mirage.

Sincerely,

Dora Miles
Human Resources Analyst

Please acknowledge receipt of this letter by signing below:

ANTHONY THOMAS KERN

3-11-05

Date



2/25/05
RECEIVED
CITY OF EL MIRAGE

CITY OF EL MIRAGE APPLICATION FOR EMPLOYMENT

An Equal Opportunity/Reasonable Accommodation Employer

The City of El Mirage will consider applicants for all positions without regard to race, color, religion, sex, national origin, age, marital status, the presence of a non-job-related medical condition or handicap, or any other legally protected status.

Date of Application: 2/25/05 Resume Attached: Yes No X

Title of Position Applied For: Code Enforcement Officer / Inspector I

Salary Requirements 28.80 per hour

How did you learn of the position for which you are applying? City of Phoenix

Type of Employment Desired: X Full-time Part-time Temporary

Will you work overtime if required? Yes X No

Date Available for Work: April 1st 2005 21st March

NAME: Kew Anthony Thomas
Last First Middle

ADDRESS:

City

Telephone Number: Home

State

Zip

Office,

Other

Best Time to Call: AnyTime Social Security No.

Have you filed an application with the City of El Mirage within the past year?

Yes No X If yes, give date:

Have you ever been employed by the City of El Mirage?

Yes No If yes, give date: N/A

Are you related to any person currently employed by the City of El Mirage? Yes No
If yes, state employee's name, relationship, and department below.

N/A
Name

N/A
Relationship

N/A
Department

Have you ever been party to a lawsuit? Yes No

Do you have a legal right to work in the United States?
(Proof of work authorization will be required upon hire)

Yes No

Have you ever been convicted of a misdemeanor or felony other than minor/civil traffic offenses? Note: Reckless operation, hit-and-run, driving under the influence, excessive speeding, and similar charges are not considered minor traffic offenses. (A conviction does not automatically disqualify your application from consideration. However, failure to report convictions will result in automatic disqualification from new or continued employment.)

Yes No If yes, give details, including charges, dates, locations, etc.

Have you ever been dismissed from any job? Yes No

If yes,
explain:

Indicate any foreign languages you can speak, read, and/or write:

	Fluent	Good	Fair
Speak			Spanish / German
Read			Spanish / German
Write			Spanish

REFERENCES Please list the names, addresses, and telephone numbers of at least 3 professional references who are familiar with your work.

Name	Address	Phone Number	Years Acquainted
			5
			5
			3

EMPLOYMENT HISTORY: *Important: Do not state "see resume". Indicate experience in each position beginning with your present or most recent position, including military service and volunteer experience. Show your entire work history. Be sure to list each significant change in title separately, even though with the same employer. Please be accurate and complete and fill in all spaces. Attach "Supplemental Employment History Form" if necessary.

EMPLOYER:	<u>City of Phoenix Arizona</u>	Phone:
Address:		
Name and Title of Supervisor:	<u>Area Supervisor</u>	
Employment Dates: from:	<u>My 10 to Present</u>	Starting Salary: <u>\$2.00</u> Ending Salary: <u>\$6.63</u>
Starting Position:	<u>Cycle Inspector I</u>	Ending Position: <u>Cycle Inspector I</u>
Number of workers you directly supervised:	<u>0</u>	(sometimes filled in for supervisor when he was absent)
Description of Duties:	<u>Enforce Zoning and Neighborhood Preservation Ordinance. Visited property sites, met with property owners, conducted research, issued citations, worked with Law Enforcement, Neighborhood Associations, Neighborhood Watchgroups etc. Sent letters, contacted responsible parties via phone.</u>	
Reason for leaving or wanting to change:	<u>New challenge and opportunity</u>	
May we contact this employer if you are considered for the position:	<u>yes</u>	

EMPLOYER:	<u>City of Phoenix Arizona - Finance</u>	Phone:
Address:		
Name and Title of Supervisor:	<u>Tax Supervisor</u>	
Employment Dates: from:	<u>OCT 93 to May 00</u>	Starting Salary: <u>16.00</u> Ending Salary: <u>21.00</u>
Starting Position:	<u>Tax Collections</u>	Ending Position: <u>Tax Collections</u>
Number of workers you directly supervised:	<u>Filled in for supervisor when he was not available.</u>	
Description of Duties:	<u>Tax Collections, Special Assessments, made payment arrangements, helped with privilege license tax, amortized house taxes, visited property sites, sold properties for delinquent assessments, phone calls, letters to public.</u>	
Reason for leaving or wanting to change:	<u>More opportunity</u>	
May we contact this employer if you are considered for the position:	<u>yes</u>	

EMPLOYER:	<u>City of Phoenix Arizona - Utilities</u>	Phone:
Address:		
Name and Title of Supervisor:	<u>Water Supervisor</u>	
Employment Dates: from:	<u>May 82 to OCT 83</u>	Starting Salary: <u>6.75</u> Ending Salary: <u>13.80</u>
Starting Position:	<u>Utilities Specialist</u>	Ending Position: <u>Utilities Specialist</u>
Number of workers you directly supervised:	<u>5</u>	
Description of Duties:	<u>Worked in lead position at various times, research water accounts, assist in payment arrangements, took payments at front counter, read Tithes and leases, turned water on/off; counted and took in over 1 and 1/2 million annually.</u>	
Reason for leaving or wanting to change:	<u>More opportunity</u>	
May we contact this employer if you are considered for the position:	<u>yes</u>	

EDUCATION

High School

Did you graduate from high school? Yes No
 If no, do you have a GED certificate? Yes No

Name and Location of School

Wadsworth Senior High School -

Trade or Business School

Did you attend a trade or business school? Yes No

If yes, what courses did you study?

N/A

Name and Location of School

N/A

College

Name and Address of College	Major	Degree. If no degree, state number of hours completed.
Rio Salado Community College	Business	16 credit hours
Western International University Phoenix University	Criminal Justice	Currently attending

Other Skills and Qualifications In addition to your work history, what other skills, qualifications, professional registrations or certifications do you possess that would qualify you for the position applying for?

Code Enforcement League of Arizona, Non-Motor Housing Certification
 First Responders Membership, Crisis-free Motor-Housing Certified
 as an Arizona Trainer.

IMPORTANT INFORMATION TO APPLICANTS

Depending on the position, offers of employment may be conditioned upon successful physical examination, drug screening, driving record and criminal history background check. All employees are required to read and sign acknowledgment of several City of El Mirage policies.

It is the City of El Mirage's policy to comply with all applicable state and federal laws prohibiting discrimination in employment based on race, age, color, sex, religion, national origin, disability or other protected classification.

When advised, reasonable accommodations will be made in order for an "otherwise qualified applicant" with a disability to participate in any phase of the recruitment process. (Americans with Disabilities Act of 1991).

APPLICANT'S CERTIFICATION AND AGREEMENT

I certify that the facts set forth in this Application for Employment are true and complete to the best of my knowledge. I understand that if I am employed, false statements may result in my dismissal. I authorize the City of El Mirage to make an investigation of any of the facts set forth in this application.

Anthony T. Kew
Applicant's Name (Printed)


Applicant's Signature

2/26/05
Date

Interview Date _____ Interviewed By: _____

Recommendation: _____

Date of Hire: _____
Dept.: _____

Position: _____ Starting Salary: _____

SUPPLEMENTAL EMPLOYMENT HISTORY:

*Important: Do not state "see resume".

Employer: _____	Phone: _____
Address: _____	
Name and Title of Supervisor: _____	
Employment Dates: from: _____ to: _____ Starting Salary: _____ Ending Salary: _____	
Starting Position: _____ Ending Position: _____	
Number of workers you directly supervised: _____	
Description of Duties: _____ _____	
Reason for leaving or wanting to change: May we contact this employer if you are considered for the position:	

Employer: _____	Phone: _____
Address: _____	
Name and Title of Supervisor: _____	
Employment Dates: from: _____ to: _____ Starting Salary: _____ Ending Salary: _____	
Starting Position: _____ Ending Position: _____	
Number of workers you directly supervised: _____	
Description of Duties: _____ _____	
Reason for leaving or wanting to change: May we contact this employer if you are considered for the position:	

Employer: _____	Phone: _____
Address: _____	
Name and Title of Supervisor: _____	
Employment Dates: from: _____ to: _____ Starting Salary: _____ Ending Salary: _____	
Starting Position: _____ Ending Position: _____	
Number of workers you directly supervised: _____	
Description of Duties: _____ _____	
Reason for leaving or wanting to change: May we contact this employer if you are considered for the position:	

Anthony Kern

Qualifications Summary

- Extensive knowledge of Neighborhood Preservation Ordinance, Zoning Ordinance, City Sales Tax, Privilege Licenses, Accounts Receivable, and Utility billings.
- Excellent Customer Service skills.
- Excellent knowledge of computer software used by municipalities.
- Excellent oral and written communication skills.
- Excellent planning and organizational skills.
- Available to work immediately Friday, Saturday and Sunday and would be interested in the direct position.

OBJECTIVE

My objective is to put forth my best effort, as displayed in my City of Phoenix performance reviews, by meeting and exceeding all goals set before me. To give the public quality service they expect from city government, and to continue looking for innovative ways to improve and enhance my job abilities through education and experience. My objective as a Code Enforcement Officer will be to learn the job quickly through training, experience, personnel, gathering information relating to this position, and to provide excellent customer service both internal and to the general public.

EMPLOYMENT

- **Neighborhood Preservation Inspector I/ Neighborhood Services May 2000 to present
City of Phoenix Arizona**

I currently am working for the City of Phoenix in the Neighborhood Services Department as a Preservation Inspector I. My job duties include interacting directly with the citizens of Phoenix and provide services such as neighborhood improvement and blighting. I promote citizen involvement in neighborhood improvement and preservation. I help plan, develop and organize community groups through various neighborhood meetings, private companies and various non-profit agencies. I work directly with neighborhood leaders and activists and assist newly formed neighborhood groups. I assist and initiate problem-solving issues with neighborhood organizations. I assist and educate in the appeals process, neighborhood clean-up programs, zoning issues and



neighborhood improvement. I attend neighborhood meetings and use speaking forums to represent Neighborhood Services and to educate the public. I look for ways to assist the neighborhood organizations and citizens who are unable to pay for required improvements. I enforce the various NPO, Zoning Codes, and Abatement ordinances. I work directly with the City of Phoenix Police Department, Municipal Courts, Development Services, Zoning, and interdepartmental NSD divisions. I also assist the public through telephone calls, letters, meeting them in public, and through neighborhood meetings. I keep current on Neighborhood Services policy and use it to bring properties into compliance. I issue civil citations when a property is not in compliance. I educate and assist neighborhood citizens to other city departments for variances and permits. I attend court and am a witness for the City of Phoenix. I make policy recommendations to my immediate supervisor regarding the Neighborhood Preservation Ordinance. I have assisted and mentored other Inspectors. I have assisted as acting supervisor when my immediate supervisor was absent. I have worked in the Manzanita Fightback and have assisted in other Fightback areas. I am familiar with targeted areas within the city such as Neighborhood Initiative Areas, Fightback Areas, and Mobile Vending Issues. I promote team involvement within the department and look for ways to work together. Once such idea of teamwork was organizing a Neighborhood Services Department float for the Fiesta of Light parade in November 2004to promote healthy neighborhoods. I have extensive experience interpreting maps, titles, parcels, and legal documents. I have experience in researching properties to find the responsible party. I am a Certified Zoning Enforcement Officer and am trained in Nan McKay as a certified Housing Inspector. I am a certified Arizona Trainer with the Crime Free Multi-Housing program.

- Treasury Collections Representative/ Finance Department
2000
City of Phoenix Arizona

I worked for the City of Phoenix in the Finance Department as a Treasury Collections Representative collecting and investigating delinquent city accounts such as water, tax, and special assessments and bringing customers to compliance. This is accomplished by contacting the general public through telephone calls, documentation, site visits, sending letters, proper follow-up procedures, interpreting maps and titles, working with other city departments, and in face-to-face, one-to-one settings. I process work order requests to other departments regarding credits, deletions, debits, and cancellation of license and assessments. Make decisions concerning payment arrangements, bankruptcy, liquor affidavit filings, settlements, title searches, legal descriptions, interpretation of city ordinances and codes, investigations, lien filings and releases, property sales, write-offs, and customer liability. Visit sites of properties to determine liability. Analyze and interpret ordinances, laws, and various legal documents. Consult and provide data to City Attorney, Division of Accounts, Streets, and Water Department in investigations and litigation matters. Interpret City, State, and federal laws and ordinances. Maintain accurate record keeping for all accounts. I also work with the State Liquor Board, Bankruptcy, Registrar of Contractors, Corporation Commission, and various credit bureaus. Use Personal Computers daily and utilize such software as Word, Internet, PLT system, Diary, Lotus Organizer, Excel, WordPerfect, and cc: Mail for Windows 95. I also wrote the procedures for the City of Phoenix Water Collections, did all the testing for the new city collection agency system and the Y2K turnover. I also participated as a team player in the SAS and SAP projects for the City of Phoenix

- Utilities Services Specialist/ Water Department
1993

May 1987 to October

City of Phoenix, Arizona

I processed water payments from walk in customers, answered incoming calls, investigated and processed disputes and customer inquiries. Investigated return checks, misapplied payments, and determined liability on various city services that were or were not rendered. Kept updated of all city ordinances and department policies and interpreted them to customers. Made payment arrangements on residential and commercial accounts. I worked in the research section analyzing data for customer billings, ownership, and general investigations. Gathered and calculated statistical data for budget and monthly production purposes and assisted administration in analyzing and gathering data to open new pay stations. Processed over 1 million dollars annually in water bills with no errors.

- Supervisor

May 1983 to May 1987

Designer Wood Products , Phoenix, Arizona

I trained all employees on machinery, OSHA safety requirements, and various production methods. Assisted in the investigation of accidents and on the job injuries. Held weekly meetings and counseled employees on business and safety issues. Interviewed potential candidates for hire. Administered performance reviews and promotions. Handled all customer complaints and responded to customer inquiries via letter or telephone. Gathered data for management, auditing and production purposes. Met deadlines for management with regards to production, auditing, and employee performance appraisals. Kept records and ordered supplies. Met with management on a weekly basis, giving oral and written updates on production issues and presented ideas to improve production and employee performance. Maintained all files of various manufacturing products.

EDUCATION

Gateway Community College
Rio Salado Community College
Western International University (currently enrolled)

Major: Criminal Justice

Minor: Business

Activities: I am currently continuing my education at an accredited University, working towards finishing my Associates degree in business then a Bachelor degree in Criminal Justice.

City of Phoenix, Arizona

I have enrolled in different city and college classes improving my customer service

skills, computer knowledge, and techniques in collections and investigations. The classes also included such topics as interpreting legal documents, dealing with angry customers, telephone and filing techniques, and getting the most out of your workday.

SKILLS

- Knowledge of city codes and ordinances.
- Extensive knowledge of Neighborhood Preservation Ordinance, Zoning Ordinance, City Sales Tax, Privilege Licenses, Accounts Receivable, and Utility billings.
- Excellent Customer Service skills.
- Excellent knowledge of computer software used by municipalities.
- Excellent oral and written communication skills.
- Excellent planning and organizational skills.
- Excellent keyboarding and typing skills.
- Excellent skip tracing techniques.
- Knowledge of various City of Phoenix departments and their functions.



CITY OF EL MIRAGE EMPLOYMENT OPPORTUNITY

"Celebrating Over 50 Years and
Focusing on the Future"

CODE INSPECTOR I

\$\$38,291-\$57,437 (STARTING SALARY D.O.Q.)

OPENING DATE: February 9, 2005, 8:00 a.m. **CLOSING DATE:** Open Until Filled

JOB SUMMARY: This position performs a wide variety of duties including skilled building, neighborhood enhancement, and nuisance, rental housing, sign and/or zoning inspections. Employees at this level receive only occasional instruction or assistance as new or unusual situations arise, and are fully aware of the operating procedures and policies of the work unit. Employees in this class are expected to work independently, exercising judgment and initiative.

ESSENTIAL FUNCTIONS: The omission of specific statements of the duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.

KNOWLEDGE, SKILLS AND OTHER CHARACTERISTICS:

- Inspects a variety of construction sites and projects to ensure compliance with the international Building Codes.
- Respond to complaints from the public, orally and in writing. Investigate possible violations of City nuisance zoning and/or sign codes; identify violations, properties and signs not in compliance and follow-up with warning notices and citations to ensure compliance with city codes. Work with citizens, property and business owners to correct violations.
- Carry out preventive enforcement and conduct field inspections; patrol assigned areas of the City to locate and observe violations of city codes including signs, zoning, nuisance, environment, swimming pool, neighborhood enhancement and health and safety ordinance violations.
- Provide field inspection information for plan check of working drawings; photograph sites before, during and after construction, renovation, and remodeling.
- Ensure compliance of landscape, lighting, mechanical screening, fence details, irrigation systems, and other related systems for department approval; inspect and photograph development sites to provide process information; provide design aesthetics and construction information and recommendations.
- Inspect and approve landscape and building plans for City ordinance compliance prior to issuing occupancy permits.
- Inspect and review construction plans and permit applications for conformance with City sign codes; issue sign permits and follow up to ensure compliance with permit approval.
- Assist in designing and reviewing landscape plans for conformance to applicable zoning ordinances, supervise and coordinate landscape installations; provide technical information and recommendations concerning design aesthetics, construction, lighting and landscape. Assist with special studies on public facilities, area plans and design review functions.
- Research case histories, approval documents, approved blueprints, property ownership records, sales tax licenses, aerial photos, utility records and other related documents as necessary.
- Provide information to the public, other City departments, architects, engineers, contractors, and interested parties regarding sign, zoning, design and other ordinance regulations, variances, related department programs and departmental policy.
- Prepare reports, document inspections, issue notices or letters photograph property conditions and maintain required records. Use computer database for reporting and record keeping.
- Prepare cases for court actions, assist Attorney's office in determining appropriate disposition of outstanding cases; testify in court.
- Inventory newly annexed areas and property contained therein.
- Perform related duties as assigned.

KNOWLEDGE, SKILLS AND OTHER CHARACTERISTICS:

Knowledge of:

- City codes, zoning code, ordinances, laws and regulations pertaining to zoning, environment, nuisance issues, building and health and safety.

IMMIGRATION REFORM ACT NOTICE

To conform with the Immigration Reform and Control Act of 1986, the City of El Mirage must verify the right to work in the United States of every individual hired. In the event you are selected, you will be required to provide the appropriate documents to Human Resources. Failure to provide these documents will result in termination.

BENEFIT PROGRAM

- 10 Days Annual Paid Vacation (through 2nd year, progressive to 20 days after the 10th year)
- 10 Paid Holidays
- 1 Floating Personal Day
- Paid Sick Leave
- Paid Employee Health and Dental
- Paid Employee Life and Accidental Death and Dismemberment Insurance
- Arizona State Retirement System (civilian employees)
- Public Safety Personnel Retirement System (certified police and fire employees)
- Deferred Compensation Program
- Credit Union Membership
- Tuition Assistance Program
- Uniform Allowance

*Come Join Our Team!
We Value:*

*Innovation ** Creativity ** Teamwork*

*Customer Service Excellence ** Ethical and Legal Behavior ** Respect*



City of El Mirage Human Resources Department

P.O. Box 26 El Mirage, AZ 85335 (623) 935-5672 Fax (623) 935-5679

City of El Mirage

CONDITION OF EMPLOYMENT

I agree and understand that any offer of employment from the City of El Mirage is contingent upon successfully passing a drug/alcohol screening test and background investigation, which includes a reference and criminal history records check, and that the complete results may not be available for two months or more. I understand that failure to successfully pass the above processing will result in the City of El Mirage rescinding any offer of employment or will result in termination of employment.

I further agree and understand that if I am employed with the City of El Mirage and Information is received which would otherwise disqualify me from employment, I will be subject to disqualification and dismissal from employment with the City.

Signature

3/11/05

Date

Social Security Number

Anthony T. Kern
Employee's Printed Name

cc: Personnel File



City of El Mirage Human Resources Department

P.O. Box 26 El Mirage, AZ 85335 (623) 935-5672 Fax (623) 935-5679

MEMORANDUM

TO: NEW EMPLOYEES OF THE CITY OF EL MIRAGE
FROM: CHRISTINE M. NUNEZ, HUMAN RESOURCES DIRECTOR
SUBJECT: PERSONNEL POLICIES AND PROCEDURES MANUAL

Attached to this memorandum is a copy of the City of El Mirage Policies and Procedures Manual, which was adopted by the City Council on March 14, 1988.

Please sign the following statement certifying that you received a copy of this manual.

I, Anthony T. Kent, hereby certify that on this 21 day of March, 2005, I received a copy of the City of El Mirage Personnel Policies and Procedures Manual.

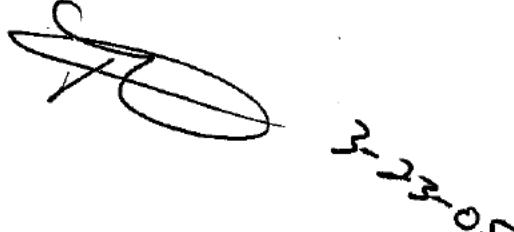
I understand that after reviewing the policies, if any section in the manual is unclear, I will be given an opportunity to ask that it be explained.


Employee's Name (Signature)

Anthony Kent
Employee's Name (Printed)

City of El Mirage

Memo



7-3-03

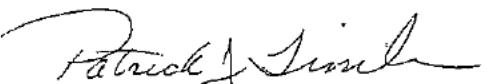
To: ALL DEPARTMENTS
From: Patrick Timlin, Information Technology Department
CC: Richard Yost, City Manager
Date: July 3, 2003
Re: Access to AOL , Yahoo, and Microsoft Instant Messaging Systems

Effective immediately, access to instant messaging systems are blocked from use by any computers attached to the city's internet system. Many of the new strains of computer viruses are using the IRC protocol to propagate the virus across the internet. IRC is the base protocol that these instant messaging programs use to communicate. By not allowing access, the City will reduce its vulnerability to computer virus infections.

Also, since AOL is extremely unforgiving and likes to force unwanted programs on unsuspecting users, anyone who has AOL installed on their City computer needs to contact me immediately so I can schedule the removal of any America On-Line components.

City computers should be used for official business only. The use of instant messaging services and outside e-mail services other than cityofelmirage.org, the official e-mail system for the City, is not sanctioned nor supported by the IT Department and should not be used.

Any questions or concerns should be directed to me at 623-980-9989 or 623-876-2950. Thanks for your cooperation.



Patrick J. Timlin
Information Technology Manager
El Mirage, Arizona

City of El Mirage Administrative Policies

SECTION: INFORMATION TECHNOLOGY

CATEGORY: COMPUTER SYSTEMS

TOPIC: E-MAIL USAGE

REFERENCE NO: AP04-020

EFFECTIVE DATE: February 1, 2004

REVISION DATE / NO:

PURPOSE:

The primary purpose of electronic mail is to allow for efficient communications with City staff, vendors, citizens, peers, and other individuals with whom the City does business. This policy serves as a guideline for employees concerning proper use of City E-mail.

POLICY:

E-mail access is provided to City employees for the sole purpose of providing efficient communications with City staff, vendors, citizens, peers, and other individuals with whom the City does business.

E-mail utilizes the internet, which is a public network. E-mail should be considered public in nature and can be intercepted and read by anyone with the knowledge to do so. Confidential information should not be sent via e-mail without proper message encryption. The City's e-mail system currently does not support message encryption.

E-mail is the primary entry source for computer virus infestations. Care should be taken when accepting e-mail file attachments. All attachments must be screened for viruses before opening them.

The E-Mail system should not be used as an individual file system. Messages should be reviewed and deleted as required. Required messages and attachments should be saved to subdirectories on individual drives or network drives as needed.

Network Share drives should be utilized whenever possible for file sharing, instead of sending attachments to multiple mail recipients.

All electronic e-mail correspondence sent from the City must include a signature block that includes the sender's name and job position.

RESPONSIBILITIES

1. User

A. Acceptable Uses

1. Any use of the electronic e-mail system to conduct City business that is consistent with the organization's mission, vision, and goals.
2. Any use of the e-mail system as authorized by the immediate supervisor, provided that it does not violate any other City policy, ordinance, or laws.

B. Prohibited Uses

1. Personal or commercial uses are prohibited except where allowed by the Internet Use Policy, any other approved City policy, or consent of the immediate supervisor.
2. Solicitations, including charitable campaigns, except as specifically authorize by the City Manager or as part of an official, City sponsored event.
3. Sending or forwarding chain mail or other mass mailings that are not of a business nature is prohibited.
4. Sending messages that are of a commercial, religious, or political in nature is prohibited.
5. Sending messages that promote a personal view or opinion of a societal issue or cause is prohibited.
6. Sending any message that could be viewed as sexually explicit or discriminatory based on race, national origin, gender, sexual orientation, age, disability, religion, or political beliefs is prohibited.

7. Use by non-employees is prohibited. Only employees or approved volunteers may use the electronic e-mail system.
8. Attempting to breach security or falsely take the identity of another is prohibited.
9. Transmitting viruses, "SPAM" mail, or any other type of unsolicited mail is prohibited.
10. Infringing on copyrights or violating any other local, state, or federal laws is prohibited.

C. Privacy and Ethics

1. By its nature, electronic mail is not private and has the potential to be purposely or accidentally read by others.
2. The public can inspect electronic e-mail when allowed by law.
3. The purchase of encryption software is not allowed without the knowledge and consent of the Information Technology Department.
4. Do not send messages that may be viewed as harassing or offensive to others as defined by the City's Code of Conduct or other Human Resources policies.
5. Use good judgment when subscribing to mailing lists. Make sure you know how to unsubscribe to these lists. Do not subscribe anyone else to a list.
6. City e-mail should be used for City business only and should not be used as a substitute for a personal e-mail account.
7. Remember, all electronic e-mail correspondence sent by you represents an official communication of the City.

2. Information Technology

- A. The information Technology Department performs daily back-ups of all e-mail systems. These back-ups are archived for a period of one month.

- B. The Information Technology Department utilizes virus and content scanning programs to identify and quarantine suspect e-mail.
- C. Public Records Requests for e-mail may include all received and sent e-mail messages. The Information Technology Department will utilize tape back-ups and current mailbox content to collect requested information. All captured e-mail messages are kept on tape back-up for a period no longer than one month.
- D. Information Technology Department will create and maintain user electronic e-mail accounts and access rights.
- E. Information Technology Department may implement individual mailbox size restrictions and e-mail attachment size restrictions as needed to ensure efficient use of City resources.

POLICY VIOLATIONS

Any and all functions you perform while using City equipment and resources is considered public in nature and can in no way be considered personal or private. The City reserves the right to inspect employee e-mail, computer files, and desk files at any time. Employees are accountable for any actions which cause them to violate this policy. Any violations of this policy may result in e-mail access revocation, along with possible progressive disciplinary action.



City Manager Approval

1/23/04

Date

**CITY OF EL MIRAGE
ADMINISTRATIVE POLICIES/PROCEDURES**

SECTION: FINANCE
CATEGORY: EQUIPMENT USE: TELECOMMUNICATIONS
TOPIC: USE OF CITY-ISSUED CELL PHONE and PAGERS
REFERENCE NO.: AP04-021
EFFECTIVE DATE: March 15, 2004
REVISION DATE/NO.:

STATEMENT OF POLICY PURPOSE:

The City of El Mirage has chosen to incorporate wireless pagers and mobile cellular telephones to communicate within the City's work environment to improve communication with its mobile work force.

Historically, the City has been charged for amount of usage. Although wireless pager billing has primarily changed to a flat monthly rate, cellular phones use a formula that includes an amount for number of minutes used. This opens up the possibility for misuse of this equipment by using the pager or cell phone at City expense for unauthorized communications.

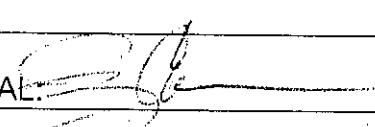
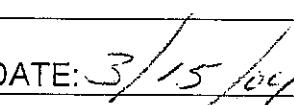
APPLICABILITY:

This policy was established to provide guidance as to proper use of pagers and cellular phones, reasons to issue pagers or cell phones, definitions of misuse, and City reimbursement policy for misuse. The Policy applies to all uses of City-Issued Pagers and Cell Phone.

PROCEDURES:

1. Proper Use

Pager and Cellular communications are to be utilized for official city business. A courteous, friendly, professional greeting should be used when answering a City owned cell phone. Personal use of pagers and cell phones should be kept to a minimum and any cost incurred for any use other than City business will be reimbursed to the City.

APPROVAL:		City Manager	DATE:  3/15/04
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2. Issuance

Pagers and cell phones represent mobile communications and should be issued as such for work requirements that indicate mobility or to extend the office communications beyond normal business hours or location.

The following are guidelines for determining if an individual meets the requirements to utilize mobile telecommunications.

- a. The individual spends part of his/her time away from the office in performance of his/her assigned work
- b. The individual is required to be reachable (on-call) during non-business hours

Table A, attached, shows guidelines to be used to determine when to issue a pager or a cell phone.

3. Reimbursement For Personal Use

Using pagers and cell phones for personal use, although not totally avoidable, should be held to a minimum. Personal use of pagers and cell phones are considered the same as using City funds for personal use.

- a. Cell Phone: The City may be charged a specific amount by the minute for usage on cell phones and can be charged per page for pagers. Individuals are expected to reimburse the city for any actual charges incurred for personal use such as:
 - i. Roaming and associated taxes
 - ii. Long distance and associated taxes
 - iii. Actual minutes computed at a rate equal to the actual charge or equal to the total cost of pooled minutes divided by the total number of pooled minutes as computed by the finance department, whichever is applicable.

Example: \$1800 pooled minute charge divided by 34000 pooled minutes equals .052 or 5.2 cents per minute

- b. Use of Directory Assistance on cell phones is an added expense that currently costs the City \$1.25 per occurrence. The use of Directory Assistance is considered unnecessary in most cases and is subject to reimbursement.

UNDER NO CIRCUMSTANCES SHALL A CELL PHONE, WHICH IS THE PROPERTY OF THE CITY OF EL MIRAGE, BE USED FOR NON-CITY BUSINESS PURPOSES OR ANY OTHER COMMERCIAL PURPOSE.

THOSE DOING SO SHALL HAVE THEIR CELL PHONE PRIVILEGE REVOKED, PERMANENTLY.

- c. Pagers: Pagers are currently billed a flat rate per month and no additional cost is incurred by the city so no reimbursement is required; however, personal use should be avoided since a personal use page can interfere with availability of the pager for an incoming official business page.

4. Responsibility for Original Purchases and Replacements

Pager and Cell Phone costs are charged back to the individual departments. The Finance Department, Procurement Office will issue and track pager and cell phone equipment. Employee requests for new service must meet the requirements set in this policy and reviewed and approved by the City Manager.

The Finance Department will issue a monthly summary report of all cell phone usage to each Department Head, upon request.

Department Heads will be responsible for enforcing the reimbursement policy for cell phones within their department. Reimbursements will be made payable to the City of El Mirage.

Failure to make proper reimbursement to the City may subject the user to disciplinary action under City Ordinance or applicable State law.

5. User Acknowledgment of this Administrative Policy and Procedure

All new users and or users requesting replacements or changes to their service or equipment shall be required to sign this acknowledgment as a condition of their continued use of City-Issue Cell Phones or Pagers.

I hereby acknowledge that I have read and understand the City of El Mirage Pager and Cell Phone Policy.

Dated this 21 day of March, 2005

Anthony Kerr
Employee Printed Name

[Signature]
Employee Signature

Cell Phone Number / Pager Number assigned: _____

TABLE A

USE BY CITY EMPLOYEES	
Pager	Cell Phone
One way only communication can be effectively utilized for work efficiency	When 2 way communication is necessary for work efficiency
Wireless RF two way radios	Cell Phones with "walkie talkie" function
Wireless RF or 2 way radio equipment is insufficient due to lack of range or functionality	Special dual channel cell phones: Police Use with Chief of Police approval only.
USE BY ELECTED OFFICIALS	
Pager	Cell Phone
Recommended. In the event communications with each Council member is required, pagers are ideal in setting supplemental discussions.	Subject to approval of the Mayor, cell phones may be issued to individual Council members when they conduct City business, when acting as City representatives on committees, councils of government or other governmental functional bodies. <i>Such usage is also subject to the terms of this policy.</i>

**CITY OF EL MIRAGE
DRUG FREE WORKPLACE
SUBSTANCE ABUSE POLICY**

It is the desire and intention of the City of El Mirage ("the City") to establish and maintain a safe, healthy working environment for all employees; to ensure the reputation of the City and its employees within the community and industry; to reduce the number of accidental injuries to persons or property; to reduce absenteeism and tardiness and to improve productivity.

It shall be the policy to the City that all employees are prohibited from being under the influence of alcohol or controlled substances or any other substance which impairs the employee's ability to perform assigned duties during working hours.

A controlled substance is defined as those drugs listed in Schedules I through V of Section 202 of the Federal Controlled Substances Act, 21 U.S.C. §812, and includes, but is not limited to, marijuana, cocaine (including "crack" and other cocaine derivatives), morphine, heroin, amphetamines, and barbiturates.

Adherence to this policy is a condition of continued employment with the City. This policy will be administered in the following manner:

1. The use, sale, possession, transfer, or purchase of alcohol or any controlled substance on City property or in a City vehicle, or while in the service of the City is strictly prohibited. Such action will be reported to appropriate law enforcement officials.
2. The use, sale, possession, transfer, or purchase of alcohol, or any controlled substance on City premises or in a City vehicle, or during working hours may be cause for immediate termination.
3. Any employee using medication or prescribed drugs which may impair job performance shall report this fact to his/her Supervisor.
4. The City may periodically require tests to be taken by any one or more employees at a time of the City's choosing during the course of employment.
5. As of January 1, 1993, all present employees will be subject to laboratory testing at a time of the City's choosing and without notice to the employee.
6. Following any work related accident; an employee may be tested.

7. Any prospective employee of the City may be required to submit to and pass a laboratory test as a condition of employment with the City.
8. All tests, when requested, will be mandatory as a condition of employment or continued employment, and may be given without notice at the discretion of the City and at City expense.

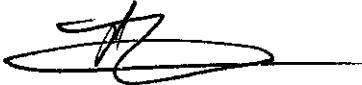
DRUG FREE WORK PLACE ACT OF 1988

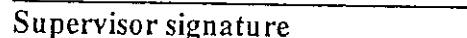
As a condition of employment, the employee agrees to abide by the Drug-Free Work Place statement. This prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the work place. A violation of this agreement is grounds for discipline up to and including dismissal.

An employee who is convicted of any criminal drug statute violation occurring in the work place must notify his/her employer within five (5) days after the conviction.

I hereby acknowledge that I have read and understand the City of El Mirage's Substance Abuse Policy and requirements of a drug-free work place.

Dated this 23 day of March 20 05


Employee signature


Supervisor signature

**CITY OF EL MIRAGE
ADMINISTRATIVE POLICIES & PROCEDURES**

SECTION: HUMAN RESOURCES

CATEGORY: PROFESSIONAL IMAGE AND WORKPLACE ATTIRE

TOPIC: PROFESSIONAL IMAGE AND WORKPLACE ATTIRE

REFERENCE NO.: AP03-012

EFFECTIVE DATE: February 1, 2003

REVISION DATE/NO.:

STATEMENT OF PURPOSE:

The City of El Mirage believes that the success of a business is determined, in part, by establishing and maintaining a proper business atmosphere. This is determined by the image employees project as well as the manner in which they conduct business. In an effort to ensure professionalism and promote quality customer service, the City of El Mirage has established guidelines for acceptable dress and appearance for all employees.

Attention to cleanliness, grooming, and attire is expected of all employees as a demonstration of respect and consideration for other employees and for the customers we serve. The appearance of all employees contributes significantly to the respect which others have for us as a business organization. On the matter of personal appearance, you are expected to observe the neatness and good taste that are consistent with the dignity of your position and surroundings. In working with the public daily, employees are expected to maintain high personal values to ensure that clothing and grooming standards are appropriate for the work setting and are not objectionable to coworkers and/or the public.

POLICY:

This policy was established with consideration to what is generally accepted by the business community as appropriate, and employees shall adhere to these guidelines at all times during business hours. Separate guidelines have been established for employees, and department and division heads. This policy will apply to all individuals representing the City (i.e. full-time and part-time regular employees, contract employees, temporary employee, independent contractors). Independent contractors contracted by the City to perform work in City offices (i.e. auditors, engineers, etc.) shall wear a City-issued visitor identification badge.

A. Employee Dress Code

During business hours, each employee is expected to wear appropriate clothing and maintain the standard of personal grooming as required by their position. Employees should present a clean and neat appearance, keep safety in mind when selecting their attire, and wear clothing in

accordance with the requirements of the position held. All employees shall wear at all times a City-issued employee identification badge, department issued nametag, or departmental insignia on a uniform that identifies them as a City of El Mirage employee.

All office employees (excluding those required to wear a uniform), unless otherwise directed by the Department Head, shall wear professional attire during City of El Mirage business hours. Professional attire is defined as:

Women	Men
Dresses/skirts	Dress pants/slacks
Dress pants/slacks	Collared shirts/sweaters
Blouses/collared shirts/sweaters	Ties
Knit shirts	Jackets/suits (optional)
Jackets/suits (optional)	

All field and recreation employees (excluding those required to wear a uniform), unless otherwise directed by the Department Head, shall wear business casual attire during working hours. Business casual attire is defined as:

Women	Men
Dresses/skirts	Dress pants/slacks/khakis/jeans
Dress pants/slacks/khakis/jeans	Collared shirts/sweaters
Blouses/collared shirts/sweaters	Knit shirts
Knit shirts	Jackets/suits and ties (optional)
Jackets/suits (optional)	

Jeans may be worn on a Casual Day, or approved by the Department Head for a safety/business necessity, as long as they are presentable (clean, neat, and fit well). Jeans that are faded, have holes, patches, writing or logos are not acceptable.

Unacceptable items that do not project a professional business image include the following, but not limited to:

- Active wear (sweatpants, sweatshirts, wind suits, exercise wear, etc.)
- Jeans of any color – unless approved for a safety/business necessity, or on an approved Casual Day.
- Overalls
- Hats – unless approved for a safety/business necessity
- Tee-shirts
- Any apparel that is tight-fitting and/or revealing (low cut, sheer, Spandex, etc.)
- Any apparel or accessories with mottos, written expressions, written logos, etc.
- Tank tops
- Spaghetti straps
- Sleeveless tops and dresses
- Capri Pants
- Mini Skirts (shorter than 1 inch above the knee)
- Slitted Skirts (slitted more than one inch above the knee)

- Shorts, unless approved as part of a uniform (firefighter, police officer)
- Athletic Shoes, unless approved as part of a uniform
- Beach style “flip flops”, thongs, or flat sandals.

Employees who arrive at work inappropriately dressed will:

1. Be sent home by their supervisor and directed to return to work in proper attire.
2. Employees classified as non-exempt under the Fair Labor Standards Act will not be compensated for the time away from work. Employees classified as exempt under the Fair Labor Standards Act (FLSA) will not receive a reduction in pay, as required under the FLSA, but shall be disciplined in another form (i.e. verbal/written reprimand, etc.).

Department Heads, with City Manager approval, retain the discretion to establish appropriate clothing guidelines for their work area under the policy stated above and to determine if uniforms are to be worn.

B. Department and Division Head Dress Code

During business hours, each Department and Division Head is expected to wear appropriate clothing and maintain the standard of personal grooming as required by their position. During business hours and when meeting with citizens and the public, Department and Division Heads are required to wear professional attire. Department and Division Heads include but are not limited to the following positions:

Department Head	Division Head
• City Manager	• Economic Development Administrator
• Assistant City Manager	• Redevelopment Administrator
• City Clerk	• Building Official
• Community Development Director	• CAP Director
• Community Services Director	• Senior Center Director
• Presiding Judge	• Court Administrator
• Finance Director	• Recreation Manager
• Fire Chief	• Assistant Finance Director
• Human Resources Director	• Battalion Chief (when not in uniform)
• Information Technology Manager	• Police Lieutenant (when not in uniform)
• Police Chief	• Engineering Project Manager
• Public Information Officer	• Streets Supervisor (when not in uniform)
• Public Works Director	• Water Supervisor (when not in uniform)
	• WWTP Supervisor (when not in uniform)

Business casual is acceptable on Fridays, or other days as approved by the City Manager, unless meeting with the City Council or the public. All Department and Division Heads shall wear at all times a City-issued employee identification badge, department issued nametag, or departmental insignia that identifies them as a City of El Mirage employee. Professional attire is defined as:

Women	Men
Dresses	Dress pants/slacks
Dress pants or skirts with Jacket or Sweater	Dress Shirt
Dress Blouses	Ties
Suits (optional, except when meeting with the City Council or public)	Suits (optional, except when meeting with the City Council or public)

Business casual is defined as:

Women	Men
Dresses/skirts	Dress pants/slacks/khakis
Dress pants/slacks/khakis	Collared shirts/sweaters
Blouses/collared shirts/sweaters	Knit shirts
Knit shirts	Jackets/suits and ties (optional)
Jackets/suits (optional)	

As long as no public meetings are being held, Department and Division Heads may wear jeans on a Casual Day, or for a safety/business necessity (moving boxes, field work, etc.). Jeans must be presentable (clean, neat, and fit well). Jeans that are faded, have holes, patches, writing or logos are not acceptable.

Unacceptable items which do not project a professional business image include:

1. Active wear (sweatpants, sweatshirts, wind suits, exercise wear, etc.)
2. Jeans of any color – unless approved for a safety/business necessity, or on an approved Casual Day.
3. Overalls
4. Hats – unless approved for a safety/business necessity
5. Tee-shirts
6. Any apparel or accessories with mottos, written expressions, written logos, etc.
7. Any apparel that is tight and/or revealing (low cut, sheer, Spandex, etc.)
8. Tank tops
9. Spaghetti straps
10. Sleeveless tops and dresses
11. Capri Pants
12. Mini Skirts (shorter than 1 inch above the knee)
13. Slitted Skirts (slitted more than one inch above the knee)
14. Shorts, unless approved as part of a uniform (firefighter, police officer)
15. Tennis Shoes, unless approved as part of a uniform

16. Beach style "flip flops", thongs, or flat sandals.

Department and Division Heads who arrive at work inappropriately dressed will:

1. Be sent home and directed to return to work in proper attire.
2. Department and Division Heads classified as exempt under the Fair Labor Standards Act (FLSA) will not receive a reduction in pay, as required under the FLSA, but shall be disciplined in another form (i.e. verbal/written reprimand, etc.). Any Division Heads that may be classified as non-exempt under the Fair Labor Standards Act will not be compensated for the time away from work.

C. Body Piercing and Tattoos.

Body piercing, including ear piercing, and tattoos are expected to be discreet, appropriate and not conspicuous to the customers and the general public we serve. Department Heads retain the discretion to prohibit such body piercing and jewelry if it poses a direct threat of safety to the employee and/or others, or is otherwise inappropriate.

D. Exceptions

1. Summer Season. Summer season is defined as the time period between May 1 and September 30, or when the temperature reaches 100 degrees, whichever comes first. Sports Jackets, Suit Jackets, and ties are optional during the summer season.
2. Casual Day. One day of the week will be specified as Casual Day city-wide. Employees may wear business casual attire on Fridays or any other day specified as Casual Day by the City Manager, unless meeting with the City Council or the public.
3. Uniforms. Department Heads, with City Manager approval, retain the discretion to establish appropriate clothing guidelines for the work area and to determine if uniforms are to be worn. Uniforms must also comply with any OSHA/Safety requirements. Employees who are required to wear and maintain uniforms pursuant to departmental policies will either receive a uniform allowance as determined through the budget process or will be issued a uniform consistent with the specific job classification.

Employees are required to wear and maintain uniforms consistent with the departmental policy. All employees shall wear at all times a City-issued employee identification badge, department issued nametag, or departmental insignia on a uniform that identifies the individual as a City of El Mirage employee.

4. Retreats, Training Sessions, Special Events. Notice will be given in advance if attire other than professional or business casual is acceptable.

E. Responsibility

1. Department Heads. Department Heads have the responsibility of following all city and departmental policies and procedures in addition to ensuring their employees follow all city and departmental policies and procedures. Department Heads are responsible, with City Manager approval, to establish appropriate clothing guidelines for their work area,

Professional Image and Workplace Attire Policy

within the parameters of this policy, and to determine if uniforms are to be worn. Failure to follow this Administrative Policy may result in disciplinary action up to and including termination pursuant to Article 6 of the City of El Mirage Personnel Policies and Procedures.

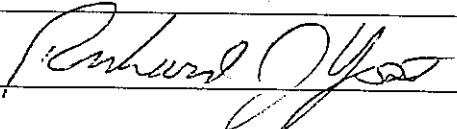
2. Employees. Employees have the responsibility to follow all city and departmental policies and procedures. Failure to follow this Administrative Policy may result in disciplinary action up to and including termination pursuant to Article 6 of the City of El Mirage Personnel Policies and Procedures.

I hereby acknowledge that I have read and understand the City of El Mirage's Professional Image and Workplace Attire Policy.

Dated this 21 day of March, 2005.

Anthony T. Kern
Employee Printed Name


Employee Signature

CITY MANAGER APPROVAL:		DATE: <u>2/24/05</u>
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**CITY OF EL MIRAGE
ADMINISTRATIVE POLICIES & PROCEDURES**

SECTION: ADMINISTRATION
CATEGORY: VEHICLE USE
TOPIC: USE OF CITY VEHICLES
REFERENCE NO: AP03-013
EFFECTIVE DATE: March 31, 2003
REVISION DATE/NO:

STATEMENT OF PURPOSE:

The purpose of this policy is to establish standard requirements and procedures for City of El Mirage employees who are assigned a city-owned or leased vehicle in the course of providing City services and conducting City business. This policy is intended to ensure the safety and well-being of City employees; to facilitate the efficient and effective use of City resources; to minimize the City's exposure to liability; and to monitor the use of city-owned vehicles.

POLICY:

A. Assignment of City Vehicles

Upon the effective date of this policy, the assignment of City vehicles during work hours shall require the approval of the Department Head.

Assignment of City vehicles for take home use requires the approval of both the Department Head and City Manager and shall be limited to employees with responsibility for on-going and recurring time critical emergency responses requiring both direct transportation to the site of the emergency and specialized equipment in the City vehicle. Employees who have been authorized to take home a City vehicle shall secure the vehicle in a safe location such as driveway or garage. City vehicles shall not be parked on the street.

Employees who are authorized by individual contract may be assigned City vehicles in accordance with this policy (i.e., temporary contract employee providing building inspection services).

B. Use of City Vehicles

City vehicles shall only be used for the purpose of conducting official city business. City vehicles will not be used for personal business including, but not limited to, taking family

members to school or work, shopping for groceries, banking, or any other personal errand. City vehicles shall not be taken home during an employee's work hours unless there is an emergency. In the event of an emergency and an employee takes a vehicle home, the employee is required to notify his or her supervisor prior to arriving home, or as soon as possible upon arriving home.

City vehicles may be taken to restaurants or eating establishments during approved lunch and/or dinner breaks either in the City of El Mirage or neighboring cities, but not more than a five mile radius of the City. No more than three city vehicles shall be taken to a restaurant or eating establishment at one time. This pertains to all city vehicles regardless if the vehicles are from different departments.

Vehicles are required to be turned off when not in use, and when the employee exits the vehicle. City vehicles shall not be kept running when not in use, unless there is a necessity to keep the inside of the vehicle cool due to property and/or equipment (computers, canine officer).

The use of City vehicles for overnight and out-of-town travel shall be governed by the rules outlined in the City's Travel Policy.

C. Authorized Operators

All operators of City vehicles shall be a City of El Mirage employee and possess a valid Arizona driver's license of the proper class. Non-City of El Mirage employees shall not be allowed to ride in City vehicles unless it is within the course of official City business (i.e., prisoners, city guests, etc.).

Employees are responsible for notifying their supervisor and Human Resources if their license is suspended. In the event of a license suspension, vehicle use privileges will be suspended and may be terminated. Employees are also required to notify their supervisors of any traffic violations received while in possession of, or while operating a City vehicle.

All drivers and City business travelers must wear seat belts and obey all traffic laws. Employees are strictly prohibited from operating a City vehicle while under the influence of alcohol or illegal drugs, and from using prescription or over-the-counter medication which may impair their ability to safely operate a motor vehicle.

D. Vehicle Logs

Every City vehicle shall have a vehicle log in which employees shall maintain a report of their usage.

E. Reporting Accidents

In the event of an accident, the employee driving the vehicle shall immediately notify his/her supervisor and the nearest Police Department to report the accident and complete a full accident report. Copies of the completed accident report shall be forwarded to the employee's

supervisor, and to the City Clerk for the purpose of filing a claim with the City's liability insurance carrier.

F. Vehicle Maintenance

Employees must comply with any preventative maintenance programs which may be required by the City. A copy of vehicle registration and proof of insurance shall be maintained inside each vehicle at all times. Vehicles shall be kept free of litter and debris, and the physical appearance of the vehicle must create a good impression. Vehicles must have City of El Mirage identification visibly affixed, with the exception of unmarked police vehicles.

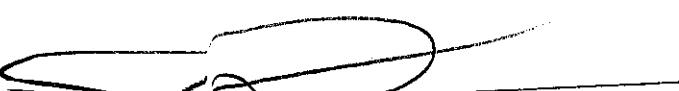
G. Responsibility

- a. Department Heads. Department Heads have the responsibility of following all city and departmental policies and procedures in addition to ensuring their employees follow all city and departmental policies and procedures. Failure to follow this Administrative Policy may result in disciplinary action up to and including termination pursuant to Article 6 of the City of El Mirage Personnel Policies and Procedures.
- b. Employees. Employees have the responsibility to follow all city and departmental policies and procedures. Failure to follow this Administrative Policy may result in disciplinary action up to and including termination pursuant to Article 6 of the City of El Mirage Personnel Policies and Procedures.

I hereby acknowledge that I have read and understand the City of El Mirage's Use of City Vehicles Policy.

Dated this 21 day of March, 2005.

Anthony T. Kew
Employee Printed Name


Employee Signature

APPROVAL:	<u>Richard J. Yost</u>	DATE: 3/31/03
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**CITY OF EL MIRAGE
ADMINISTRATIVE POLICIES & PROCEDURES**

SECTION: HUMAN RESOURCES
CATEGORY: HARASSMENT PREVENTION
TOPIC: WORKPLACE HARASSMENT AWARENESS
REFERENCE NO: AP02-011
EFFECTIVE DATE: August 19, 2002
REVISION DATE/NO:

STATEMENT OF PURPOSE:

The City of El Mirage, consistent with its commitment to provide equal employment opportunities, will not tolerate any form of workplace harassment, including sexual harassment, which creates an intimidating, hostile, or offensive work environment. This policy is intended to prohibit offensive conduct, either physical or verbal, that threatens human dignity and employee morale, and which interferes with a positive and productive work environment.

POLICY:

A. General Harassment

All employees, including supervisors and managers, are strictly prohibited from engaging in any form of harassment that relates to race, color, sex, national origin, age, religion, or disability. Harassment can take many forms, both overt and subtle, and may be based upon a single occurrence or a series of incidents. Examples of harassing behavior include, but are not limited to, unwelcome advances, gestures, comments, or contacts; threats; offensive jokes; subjecting any employee to ridicule, slurs, or derogatory actions; basing employment decisions or practices on submission to harassing behavior; refusal to cooperate with employees in performing work assignments; or inequitable work assignments or disciplinary actions.

B. Sexual Harassment

All employees have the right to work in an environment free of sexual harassment. The City of El Mirage will not tolerate any form of sexual harassment, by supervisors, co-workers, customers, or suppliers.

Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2)

submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The following examples, although not all inclusive, are common of the types of conduct that may constitute sexual harassment:

- Slurs, jokes, or degrading comments of a sexual nature
- Unwelcome sexual advances
- Suggestive or lewd remarks or jokes
- Unwelcome hugging, touching, or kissing
- Request for sexual favors
- Repeated offensive sexual flirtation or propositions
- The display of sexually suggestive pictures or objects
- Unwelcome physical contact or touching such as patting, pinching or brushing against another's body

C. Reporting Procedures

An employee who believes he or she has been subjected to harassment or is aware of the occurrence of harassment must report the matter immediately to one of the following persons:

1. His or her immediate supervisor
2. Any manager or supervisor within or outside the employee's regular department
3. Department Head
4. Human Resources Director
5. City Manager

Where the person believed to be doing the harassment is on the above list, a report to that person alone is not sufficient. A report *must* be made to someone other than the person believed to be committing the harassment. All employees, supervisors and managers are expected to treat any complaint seriously and with as much confidentiality as possible, and give an investigation top priority. Each supervisor and manager to whom an act of harassment has been reported or who becomes aware of acts of harassment shall immediately report it to the Human Resources Director.

D. Investigation Procedure

Any person receiving a complaint of prohibited harassment, whether formal or informal, and regardless of the action requested by the complainant, shall immediately notify the Human Resources Director.

The Human Resources Director, or designee, shall expediently direct the investigation on complaints of prohibited harassment. Managers and supervisors shall make available any employee for interviews and present any documents required by the investigator.

Although complete confidentiality of such complaints cannot be guaranteed, the City shall endeavor to treat such complaints with as much confidentiality as possible.

The City cannot ignore any complaint, and cannot honor a request that nothing be done about a complaint.

E. Disciplinary Procedure

After reviewing the facts of the investigation, and if harassment is found to have occurred, the employee whose conduct is considered harassing shall be subject to appropriate disciplinary action, to be determined in consultation with the Human Resources Director.

Disciplinary action shall be taken depending on the circumstances and variables of each individual situation. Each incident will be handled on a case-by-case basis and all the circumstances and variables reviewed in determining the appropriate action. Disciplinary action may range from verbal counseling to termination.

Whether a formal complaint has been filed, all supervisors and managers are responsible for maintaining an atmosphere free from harassment and for assuring that no reprisals or retaliation are taken against either those who complain of harassment, or those who participated as witnesses in the investigation of any complaint of harassment. Any retaliation against a person for expressing any complaint or concern about harassment is forbidden. Employees found to be retaliating against another employee shall be subject to disciplinary action.

In case of any apparent conflict between the reporting and investigation procedure in this policy, and any grievance or open-door policy now in place or implemented hereafter, the terms of this policy shall control for complaints or concerns involving harassment as described herein.

I hereby acknowledge that I have read and understand the City of El Mirage's Workplace Harassment Policy, and requirements of a harassment free workplace.

Dated this 21 day of March, 2005

Anthony T. Keen
Employee Printed Name


Employee Signature

APPROVAL: <u>Stuart Brackney, City Manager</u>	DATE: <u>8/19/02</u>
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City of El Mirage Human Resources Department

P.O. Box 26 El Mirage, AZ 85335 (623) 935-5672 Fax (623) 935-5679

CITY OF EL MIRAGE

Authorization for Release of Information

I, Anthony T. Kerr DO HEREBY

AUTHORIZE and release from any and all liability, any and all individuals, partnerships, corporations, government agencies, military agencies, including City, County, state, and Federal entities to release, furnish, and exchange any and all available information, for the determination of my suitability for employment with the City of El

Mirage.

Signature

3/11/05
Date

Social Security Number _____

cc: Personal File



City of El Mirage
Employee Performance Review & Development
(Revision Date: 07/09/09)

Employee Name Anthony Kern
Job Title Code Enforcement Officer

Department Police
Review Due Date May 1, 2013

Achievement Levels

(5) Exceptional: Significantly exceeds position's performance standards; performance substantially exceeds performance of others at similar position levels.
(4) Exceeds Standards: Exceeds position's performance standards; performance exceeds that of most others at similar position levels.
(3) Meets Requirements: Meets position's performance standards; performance which is expected from experienced and qualified individuals.
(2) Improvement Required: With few exceptions, meets position's performance standards and has potential, with additional training, to meet requirements.
(1) Unsatisfactory: Does not meet position's performance standards; performance is clearly below adequate; requires substantial remedial training.

Performance Standards		5	4	3	2	1
GENERAL PERFORMANCE STANDARDS						
1. Job Knowledge & Skills		X				
2. Quality of Work			X			
3. Productivity (Quantity of Work)			X			
4. Planning & Organizing				X		
5. Compliance with Policies & Procedures				X		
6. Service, Teamwork, & Interpersonal Skills		X				
7. Communication Skills		X				
8. Safety & Use of Resources				X		
9. Demonstrated Professionalism		X				
10. Willingness to Learn, Change, and Improve		X				
DEPARTMENT SPECIFIC PERFORMANCE STANDARDS						
11. Investigative Ability					X	
12. Report Writing Ability				X		
13. Commitment to Community Policing		X				
SUPERVISORY/MANAGERIAL PERFORMANCE STANDARDS						
14. Supervisory/Managerial Skills		N/A				
15. Fair and Professional Leadership		N/A				
16. Development of Individuals in the Work Unit		N/A				
17. Departmental Effectiveness		N/A				
18. Leadership Skills		N/A				

Ratings of 5, 4, 2, and 1 must be explained and attached.

Overall Achievement Level

Total Points 52 Divided by the Number of Factors Rated 13 = 4.1 Overall Rating

Achievement Levels	Overall Level of Achievement	
(5)	<input type="checkbox"/> Exceptional	4.5 - 5.00
(4)	<input checked="" type="checkbox"/> Exceeds Standards	3.5 - 4.49
(3)	<input type="checkbox"/> Meets Requirements	3.0 - 3.49
(2)	<input type="checkbox"/> Improvement Required	2.0 - 2.99
(1)	<input type="checkbox"/> Unsatisfactory	1.0 - 1.99



City of El Mirage
Employee Performance Review & Development

Employee Name Anthony Kern Review Due Date May 1, 2013

* Goals marked as Not Met must be explained in Supervisor's Comments section

Developmental Goals Set Last Review Period		Met	Not Met	N/A
1	Complete your re-inspections within 3 business days of the due date.	X		
2	Coordinate with your unit to host a public forum by the end of October 2012			X
3	Complete before and after pictures on every inspection.	X		
4	Maintain your vehicle and equipment by tracking the routine preventative maintenance by the due date.	X		

* New Goals must be job-related, time-bounded, attainable, and realistic

Developmental Goals Set For Next Review Period	
1	Complete your re-inspections within 3 business days of the due date.
2	Inform your supervisor of any unusual call or events which occur throughout your shift.
3	Complete before and after pictures on every inspection.
4	Maintain your vehicle and equipment by tracking the routine preventative maintenance by the due date.

* Ratings of Meets Requirements (3) do not need to be explained. Ratings of 5, 4, 2, and 1 must have examples of the employee's performance to justify the rating.

Supervisor's Comments: (This space expands as required)

Anthony,

Congratulations on another successful year with the El Mirage Police Department Code Enforcement Team. You have been with the City of El Mirage since March 20, 2005 (eight years). This is the second year assigned to the Police Department.

It has been a pleasure working with you during the past two years. For this review period, you have not received any disciplinary actions, nor have you received any valid citizen complaints.

As a Code Enforcement Officer you are responsible for enforcing the City Code Laws. When a new City Code law is added, you take the time to familiarize yourself with the law and enforce the law accordingly. You also work closely with other departments to understand and enforce new laws. Thanks for taking the time to become knowledgeable in this area.

One of your stronger traits is the willingness to take on other tasks as assigned without hesitation. I appreciate your willingness to do so which shows you are a dependable employee. I am tasked with other job assignments within the department. With all my other assignments it is imperative that you keep me informed with your daily activities. I want to take this opportunity to thank you for effectively keeping me updated on all your activities.

When it comes to serving the community your work extends above and beyond the expectations. You continue to be a board member with the Arizona Hoarding Task Force. You work closely with neighborhood leaders by attending HOA meetings. The community can count on you to assist with any Code Enforcement issues within their prospective neighborhoods. One example of this is the [redacted] community. This community had several parking issues and speeders. You patrolled the area and red tagged the vehicles with parking violations. You also worked with Photo Enforcement to have the vans placed in the neighborhood. This has resulted in fewer



City of El Mirage
Employee Performance Review & Development

Employee Name Anthony Kern Review Due Date May 1, 2013

Supervisor's Comments: (This space expands as required)

complaints and reported parking violations have been minimal. Thank you for taking the extra steps and working closely with the community.

Anthony I want to thank you for your hard work and dedication to the City of El Mirage and the folks who live, play and work here. Your hard work does not go unnoticed and I appreciate the extra steps you take to make the community happy to live and work here.

Supervisor's Signature: Lynne 3831 Date: 2/10/14 Reviewer Initials: JWD Date: 2/11/14

Employee's Comments: You have 48 hours, excluding weekends and "N" days (regularly scheduled days off), to review and respond. You are encouraged to write comments here and attach additional pages if needed. If you do not wish to make comments, you should write "None."

THANK YOU SERGEANT CORNISH AND THE EL MIRAGE POLICE
DEPARTMENT FOR ANOTHER GREAT YEAR OF
OPPORTUNITY, PROFESSIONALISM AND LEADERSHIP!
I LOOK FORWARD TO CONTINUED SUCCESS IN
THE FUTURE.

Additional page(s) attached

Employee's Signature: [Signature] Date: 2/11/2014

Reviewed By: Tom Anderson

(Reviewer may attach comments)

Date: 2/14/14

Distribution:

Original to Human Resources

Copy to Employee

Copy to Dept. Personnel File

Rev. 1/1/08



City of El Mirage
Employee Performance Review & Development
(Revision Date: 07/09/09)

Employee Name Anthony Kern
Job Title Code Enforcement Officer

Department Police
Review Due Date May 1, 2012

Achievement Levels

(5) Exceptional: Significantly exceeds position's performance standards; performance substantially exceeds performance of others at similar position levels.
(4) Exceeds Standards: Exceeds position's performance standards; performance exceeds that of most others at similar position levels.
(3) Meets Requirements: Meets position's performance standards; performance which is expected from experienced and qualified individuals.
(2) Improvement Required: With few exceptions, meets position's performance standards and has potential, with additional training, to meet requirements.
(1) Unsatisfactory: Does not meet position's performance standards; performance is clearly below adequate; requires substantial remedial training.

Performance Standards		5	4	3	2	1
GENERAL PERFORMANCE STANDARDS						
1. Job Knowledge & Skills		X				
2. Quality of Work			X			
3. Productivity (Quantity of Work)			X			
4. Planning & Organizing				X		
5. Compliance with Policies & Procedures				X		
6. Service, Teamwork, & Interpersonal Skills		X				
7. Communication Skills		X				
8. Safety & Use of Resources			X			
9. Demonstrated Professionalism		X				
10. Willingness to Learn, Change, and Improve		X				
DEPARTMENT SPECIFIC PERFORMANCE STANDARDS						
11. Investigative Ability				X		
12. Report Writing Ability				X		
13. Commitment to Community Policing		X				
SUPERVISORY/MANAGERIAL PERFORMANCE STANDARDS						
14. Supervisory/Managerial Skills		N/A				
15. Fair and Professional Leadership		N/A				
16. Development of Individuals in the Work Unit		N/A				
17. Departmental Effectiveness		N/A				
18. Leadership Skills		N/A				

Ratings of 5, 4, 2, and 1 must be explained and attached.

Overall Achievement Level

Total Points 54 Divided by the Number of Factors Rated 13 = 4.1 Overall Rating

Achievement Levels			Overall Level of Achievement	
(5)	<input type="checkbox"/>	Exceptional	4.5 – 5.00	
(4)	<input checked="" type="checkbox"/>	Exceeds Standards	3.5 – 4.49	
(3)	<input type="checkbox"/>	Meets Requirements	3.0 – 3.49	
(2)	<input type="checkbox"/>	Improvement Required	2.0 – 2.99	
(1)	<input type="checkbox"/>	Unsatisfactory	1.0 – 1.99	



City of El Mirage
Employee Performance Review & Development

Employee Name Anthony Kern Review Due Date May 1, 2012

* Goals marked as Not Met must be explained in Supervisor's Comments section

Developmental Goals Set Last Review Period		Met	Not Met	N/A
	N/A			

* New Goals must be job-related, time-bounded, attainable, and realistic

Developmental Goals Set For Next Review Period	
1	Complete your re-inspections within 3 business days of the due date.
2	Coordinate with your unit to host a public forum by the end of October 2012
3	Complete before and after pictures on every inspection.
4	Maintain your vehicle and equipment by tracking the routine preventative maintenance by the due date.

* Ratings of Meets Requirements (3) do not need to be explained. Ratings of 5, 4, 2, and 1 must have examples of the employee's performance to justify the rating.

Supervisor's Comments: (This space expands as required)

Anthony,

Congratulations on a successful year with the El Mirage Police Department Code Enforcement Team. You have been with the City of El Mirage since March 20, 2005 (seven years). On May 1, 2011, you transferred from Community Development to the El Mirage Police Department under my supervision.

City Code moved to the Police Department and several changes have occurred. Everything from new uniforms and radio usage to a new data base system. You helped design the new uniform and also were a strong support in making the App-Order data base an operating system. You have been working on the Code Enforcement policies and procedures and have been instrumental in developing protocol. Your willingness to learn and change has been invaluable.

You have demonstrated willingness to take on other tasks as assigned and do so without hesitation. I appreciate your willingness to do so with little to no direction and you are a dependable employee. You are an effective communicator and I appreciate you keeping me updated on all activities.

When it comes to serving the community your works extends above and beyond the expectations. In February you assisted construction crews while installing culvert gates. You coordinated with multiple agencies to remove the graffiti in the culvert, and as a result, our community is a safer and cleaner environment. Another example of this is with the Task Force. During the course of your regular duties you were able to identify a problem area for which you sought a solution. In doing so, you reached out to other resources and formed a partnership to create an organization, the Task Force that not only serves El Mirage but surrounding communities as well.

Anthony I commend you for your professionalism along with all the hard work you do to make our city a safer and better place for all those who live, work, play and visit the City of El Mirage. Your friendly nature allows you to work close with administrative and line level employees. You are an employee who is respected by fellow employees, City Council as well as the public. Thank for the hard work and dedication to the city and member of

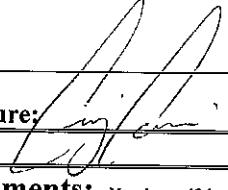


City of El Mirage
Employee Performance Review & Development

Employee Name Anthony Kern

Review Due Date May 1, 2012

Supervisor's Comments: (This space expands as required)
the community.

Supervisor's Signature: 

Date: 6/3/12

Reviewer Initials: AD

Date: 6/6/12

Employee's Comments: You have 48 hours, excluding weekends and "N" days (regularly scheduled days off), to review and respond. You are encouraged to write comments here and attach additional pages if needed. If you do not wish to make comments, you should write "None."

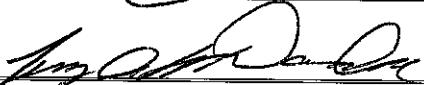
It has been a privilege to work this past year in the Police Department. The continued professionalism and level of community service of my peers and Administrative personnel is something I strive for daily. I truly appreciate working under the supervision of Sergeant Cornett. I look forward to the coming year and will challenge myself to serve the public and fellow employees to a greater capacity.

Thank You!

Additional page(s) attached

Employee's Signature: 

Date: 6-11-12

Reviewed By: 
(Reviewer may attach comments)

Date: 6/13/12

Distribution:

Original to Human Resources

Copy to Employee

Copy to Dept. Personnel File

Rev. 1/1/08

Employee Receipt and Acknowledgement

I, (Printed Name) Anthony Kern, an employee of the City of El Mirage, hereby acknowledge receipt of a copy of the City of El Mirage Employee Personnel Policy Manual dated July 11, 2008. I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this manual, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed:



Date:

9/10/08

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Director within seven (7) days of receiving this manual.

CITY OF EL MIRAGE
HUMAN RESOURCES

SEP 11 2008

RECEIVED

Return to Human Resources



CITY OF EL MIRAGE
Human Resources Department
14406 N. Alto Street, El Mirage, AZ 85335

EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

Anthony Kern

By signing below, I hereby acknowledge receipt of a copy of the City of El Mirage Administrative Policy – AP03-13 Use of City Vehicles – Revised Oct 1, 2009.

I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this policy, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed:

A handwritten signature of Anthony Kern over a horizontal line.

Date:

12/10/09

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Director by December 10, 2009.



CITY OF EL MIRAGE
Human Resources Department
14406 N. Alto Street, El Mirage, AZ 85335

EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

Anthony Kern

By signing below, I hereby acknowledge receipt of a copy of the City of El Mirage Administrative Policy – AP03-13 Use of City Vehicles – Revised March 2010.

I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this policy, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed: 

Date: 4-26-10

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Director by April 21, 2010.



City of
EL MIRAGE
Arizona
GRAND HERITAGE, BRIGHT FUTURE!



Police Department

14405 N Palm Street, El Mirage 85335

623-433-9500; 623-933-1341; Fax 623-815-5322

TDD 623-933-3258; www.cityofelmirage.org

MEMORANDUM

TO: Anthony Kern
Code Enforcement Officer

FROM: Craig Cormier *COR*
Sergeant

THRU: Terry A. McDonald *TAD*
Acting Police Chief

SUBJECT: NOTICE OF WRITTEN REPRIMAND

DATE: September 24, 2013

The purpose of this letter is to inform you of my decision following the disciplinary meeting with you on September 24, 2013, regarding the Notice of Intent to Discipline memorandum dated September 20, 2013.

During our discussion you stated that you understood that your actions brought discredit to the City of El Mirage. Furthermore, you stated that you would never repeat this infraction and if a minimum amount of discipline could be considered, you would be very appreciative.

After considering your comments and circumstances, I have concluded that it is appropriate to proceed with the issuance of a written reprimand for violation(s) of City of El Mirage Personnel Policy as follows:

1) City Policy 5.5 "Discipline System" (B)

The employee has engaged in conduct, either during or outside of regular hours that causes discredit to the City.

2) AP03-013 Policy B, "Use of City Vehicles"

City vehicles shall only be used for the purpose of conducting official city business. City vehicles will not be used for personal business including, but not limited to, taking family members to school or work, shopping for groceries, banking, or any other personal errands.

3) City Policy 1.9 "Use of Public Property" (1)

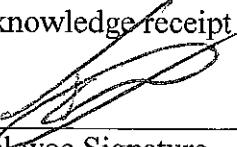
No employee of the City shall request, use or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of such City Property is to be restricted to the conduct of official City business.

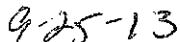
4) City Policy 7.2 "Use of City Equipment and Vehicles"

The improper, careless, negligent, destructive or unsafe use of operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action up to and including termination of employment.

Any future violations may result in further disciplinary action, up to and including, dismissal.

I acknowledge receipt of this Letter of Reprimand.

Employee Signature

9-25-13

Date



City of
EL MIRAGE
Arizona
GRAND HERITAGE, BRIGHT FUTURE!



RECEIVED SEP 26 2013
Police Department

14405 N Palm Street, El Mirage 85335
623-433-9500; 623-933-1341; Fax 623-815-5322
TDD 623-933-3258; www.cityofelmirage.org

MEMORANDUM

TO: Anthony Kern
Code Enforcement Officer

FROM: Craig Cormier *C.C.*
Police Sergeant

APPROVED BY: *Troy D. Donald*

SUBJECT: NOTICE OF INTENT TO IMPOSE DISCIPLINE AND NOTICE OF DISCIPLINARY MEETING

DATE: September 20, 2013

Consider this as written notice of a disciplinary charge against you for your failure to follow El Mirage City Policies pertaining to the use of City owned vehicles as follows:

On Thursday, August 1, 2013 at approximately 2:50 PM, you used your assigned City vehicle to travel to Barber Shop located at in Youngtown to get a haircut during your lunch break.

More specifically, the basis for this action is in accordance with 5.5 of the City of El Mirage Personnel Manual for a violation of Section 5.5 (B) of the City of El Mirage Personnel Policy Manual which states, in part:

1) City Policy 5.5 "Discipline System" (B)

The employee has engaged in conduct, either during or outside of regular hours that causes discredit to the City.

2) AP03-013 Policy B, "Use of City Vehicles"

City vehicles shall only be used for the purpose of conducting official city business. City vehicles will not be used for personal business including, but not limited to, taking family members to school or work, shopping for groceries, banking, or any other personal errands.

3) City Policy 1.9 "Use of Public Property" (1)

No employee of the City shall request, use or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of such City Property is to be restricted to the conduct of official City business.

4) City Policy 7.2 "Use of City Equipment and Vehicles"

The improper, careless, negligent, destructive or unsafe use of operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action up to and including termination of employment.

You have the right to discuss the disciplinary charges and recommended disciplinary action of a one day (10 hours) suspension with Acting Police Chief Terry McDonald in accordance with Section 5.5.C of the Personnel Manual. A meeting has been scheduled for you with Chief McDonald for this purpose on **Tuesday, September 24, 2013 at 11:00 AM in the Police Chief's office**. In lieu of meeting with Chief McDonald, you may submit to me, any time before the scheduled meeting time, a written response to the disciplinary charges and recommended discipline of one day (10 hours) suspension.

If you fail to appear at the scheduled meeting with Chief McDonald or fail to submit a written response to Chief McDonald before the meeting, Chief McDonald will make a final decision regarding the recommended discipline based on the information and material contained in and accompanying this Notice. The scheduled meeting or the optional written response is your opportunity to address the disciplinary charges and the recommended discipline before a final decision is made whether or not to proceed with the one day (10 hours) suspension.

Please sign below. Your signature on this document is an acknowledgment that this matter has been discussed with you and you have reviewed this document. Your signature is not an indication of agreement or disagreement of the deficiencies that are outlined in this document.


Employee Signature

09-23-13
Date

ADMINISTRATIVE COMPLAINT CONTROL FORM

Supervisor Initiated Investigation

Citizen Complaint of Police Misconduct

Attachments: Yes No

Control Number: 13-016-CC

Complainant:

LAST NAME	FIRST NAME	M.I.	ORIGIN	SEX	DOB	SS NUMBER
-----------	------------	------	--------	-----	-----	-----------

Address:	El Mirage	Az	85335			
	CITY	STATE	ZIP CODE	TELEPHONE NUMBER		

Employer:

COMPANY AND ADDRESS	TELEPHONE NUMBER	WORK HOURS
---------------------	------------------	------------

Records Checked:	<input type="checkbox"/> No Record	<input checked="" type="checkbox"/> See Narrative	I. A. Checked:	<input checked="" type="checkbox"/> No History	<input type="checkbox"/> See Narrative
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Employee Involved:	Anthony Kern	1716	City Code Enforcement
	NAME	SERIAL NUMBER	DUTY ASSIGNMENT

Employee Involved:	NAME	SERIAL NUMBER	DUTY ASSIGNMENT
--------------------	------	---------------	-----------------

Employee Involved:	NAME	SERIAL NUMBER	DUTY ASSIGNMENT
--------------------	------	---------------	-----------------

Witness:	LAST NAME	FIRST NAME	M.I.	ORIGIN	SEX	DOB	SS NUMBER
----------	-----------	------------	------	--------	-----	-----	-----------

Address:	NUMBER AND STREET	CITY	STATE	ZIP CODE	TELEPHONE NUMBER
----------	-------------------	------	-------	----------	------------------

Employer:	COMPANY AND ADDRESS	TELEPHONE NUMBER	WORK HOURS
-----------	---------------------	------------------	------------

Witness:	LAST NAME	FIRST NAME	M.I.	ORIGIN	SEX	DOB	SS NUMBER
----------	-----------	------------	------	--------	-----	-----	-----------

Address:	NUMBER AND STREET	CITY	STATE	ZIP CODE	TELEPHONE NUMBER
----------	-------------------	------	-------	----------	------------------

Employer:	COMPANY AND ADDRESS	TELEPHONE NUMBER	WORK HOURS
-----------	---------------------	------------------	------------

Complaint Received:	<input type="checkbox"/> In Person	<input type="checkbox"/> Telephone	<input type="checkbox"/> Letter	<input type="checkbox"/> Fax	<input checked="" type="checkbox"/> Email	<input type="checkbox"/> Other
---------------------	------------------------------------	------------------------------------	---------------------------------	------------------------------	---	--------------------------------

Received By:	Dr. Spencer Isom (SUPERVISOR ONLY)	8/01/13 DATE	1517 TIME	Sgt. Craig Cormier #3231 ROUTED TO
--------------	---------------------------------------	-----------------	--------------	---------------------------------------

Verification letter sent to complainant: Yes No If not, why? _____

Investigating Supervisor: Sgt. Cormier Duty Assignment: Administrative Sergeant

Findings of Complaint: Sustained

Complainant contacted at conclusion of investigation: Yes No Notice of Findings served: Yes N/A

If not, why? _____

Location of Occurrence: _____ Date: 8/01/13 Time: 1450

Complaint / Incident Summary: On August 1st, 2013, Mr. Isom, in reference to a marked City Code Enforcement truck parked at a barber shop . ent an email to the City Manager, Dr. Spencer attached

a photograph showing the truck parked in front of Barber Shop, located in

Levels of Review

3831 INVESTIGATOR'S SIGNATURE	ASSISTANT CHIEF'S SIGNATURE COLON CHIEF'S SIGNATURE
REVIEWING SUPERVISOR'S SIGNATURE	

EL MIRAGE POLICE DEPARTMENT Draft Date:

Finalized Date: 9/18/13

EMPD Adm-XXX, Rev. 05/13

ADMINISTRATIVE COMPLAINT CONTROL FORM

THIS SECTION TO BE COMPLETED BY INVESTIGATOR AND SENT TO THE ASSISTANT CHIEF'S OFFICE UPON COMPLETION OF THE INVESTIGATION.

INVESTIGATION NARRATIVE: For Administrative Investigation #13-016-CC**History:**

had one incident in El Mirage (E12041585). He was one of two complainants in reference to a barking dogs complaint. Office Kern was not involved in this report. Mr. _____ was stopped by Surprise Police Department in Surprise. No other contacts noted.

Attachments:

1. Picture of City Code truck parked in front of Barber Shop
2. CD containing audio interviews with witnesses
3. Employee Receipt and Acknowledgements signed by Anthony Kern as follows:

Receipt of City of El Mirage Policy Manual (signed September 10, 2008)

Receipt of copy of City of El Mirage Administrative Policy – AP03-13 Use of City Vehicles
Revised October 1, 2009(signed December 10, 2009)

Receipt of copy of City of El Mirage Administrative Policy – AP03-13 Use of City Vehicles
Revised March 2010 (signed April 26, 2010)

Allegation/s:**Allegation 1:**

On Thursday, August 1, 2013 at approximately 2:50 PM, it has been alleged that Code Enforcement Officer Anthony Kern used his assigned city vehicle to conduct personal business by getting a haircut at Barber Shop in Youngtown. An investigation was conducted and it was determined that this allegation did in fact occur and is in violation of four (4) City of El Mirage Policies.

Therefore, this allegation is sustained.

Background/Introduction:

On Thursday, August 1, 2013 Mr. _____ sent an email to the City Manager, Dr. Spencer Isom. The email asked Dr. Isom if the City allowed employees to use city owned vehicles to run personal errands such as haircuts. Attached to this email, Mr. _____ provided a photograph showing an El Mirage Code Enforcement truck parked in front of _____ Barber Shop located at _____ Barber Shop is approximately one mile from the City of El Mirage. The truck number was #5095, which was assigned to Code Officer Anthony Kern.

DETAILS OF INVESTIGATION:

(Please refer to audio recordings for exact wording. Each of the following interviews are a summary only.)

Interview with (Audio file WS330081)

On Thursday, August 13, 2013 Mr. _____ was contacted via telephone and the conversation was recorded. Mr. _____ was asked if he could give details of the complaint. Mr. _____ said he observed an El Mirage Code Enforcement vehicle parked in front of the barber shop. Mr. _____, who knows Anthony Kern prior to this incident, advised that he observed Officer Kern sitting in the barbers chair getting a hair cut. Mr. _____ stated that he just wanted to report the incident because he owned a company himself and realizes it is not common practice to allow employees to use company vehicles for personal use.

Interview with Anthony Kern (Audio file WS330083)

On Thursday, August 13, 2013 at approximatley 3:50 PM, Code Enforcement Officer Anthony Kern was interviewed in Sergeant Cormier's office. Prior to being interviewed, Officer Kern was provided with a Notice of Investigation, which he signed. Officer Kern said he does not recall the exact time, but he did use the city vehicle to get a haircut in _____. Officer Kern knows this is a violation of policies and procedures. Officer Kern went on his lunch hour to get his hair cut. Officer Kern was asked if he had stopped anywhere else for lunch. Officer Kern said he did not and he ate snacks in his vehicle while patrolling his assigned area. Officer Kern is an avid runner and he eats throughout the day. This is a common practice for exercise enthusiasts.

CONCLUSION:**Allegation 1:**

On Thursday, August 1, 2013 at approximately 2:50 PM, Code Enforcement Officer Anthony Kern used his assigned city vehicle to conduct personal business by getting a haircut at _____ Barber Shop in Youngtown, while on his lunch break. His use of the City vehicle was for personal business and as such is improper and in violation of the following City of El Mirage Personnel Policies:

- 1) City Policy 5.5 "Discipline System" (B)

The employee has engaged in conduct, either during or outside of regular hours that causes discredit to the City.

- 2) AP03-013 Policy B, "Use of City Vehicles"

City vehicles shall only be used for the purpose of conducting official city business. City vehicles will not be used for personal business including, but not limited to, taking family members to school or work, shopping for groceries, banking, or any other personal errands.

- 3) City Policy 1.9 "Use of Public Property" (1)

No employee of the City shall request, use or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of such City Property is to be restricted to the conduct of official City business.

4) City Policy 7.2 "Use of City Equipment and Vehicles"

The improper, careless, negligent, destructive or unsafe use of operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action up to and including termination of employment.

Finding: SUSTAINED

Work/Performance History:

Code enforcement Officer Kern has received no discipline in the past five years.

Last 5 years of Performance Ratings:

2011 – Exceeds Standards

2010 - Good

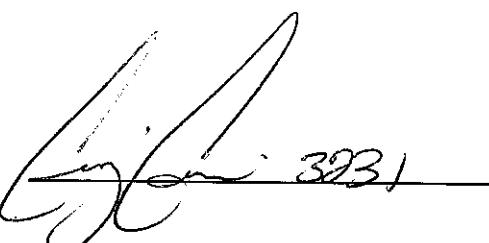
2009 – Very Good

2008 – Very Good

2007 – Very Good

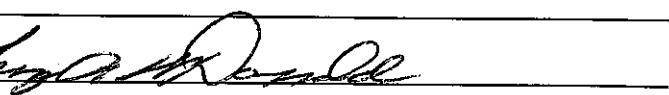
Recommendation:

1 day suspension (10 hours)

INVESTIGATOR'S SIGNATURE:  DATE: 9/00/13

INVESTIGATOR'S SIGNATURE:  DATE: _____

REVIEWED BY: _____ DATE: _____

REVIEWED BY:  DATE: 9/20/13

Following a notice of intent to discipline meeting, the recommended discipline was reduced to a "Notice of Written Reprimand". No further action.





City of El Mirage Police Department



"Serving the Community"

Investigation Review Control Form

Employee Name: Anthony Kern Serial #: 1716 Investigation #: 13-016-CC
Investigating Supervisor: Sgt. Craig Cormier

INITIAL REVIEW PHASE:

Draft Copy Completed: 9/04/13 (date) Copy to Employee 9/04/13 (date)

The employee has 10 calendar days to review the report and attachments. The employee may request a meeting with the investigating supervisor to discuss areas of disagreement, or waive this right by checking the appropriate box, signing in the space provided, and returning this form to the investigating supervisor.

I disagree with this report and request a meeting

I do not disagree with this report and/or do not request a meeting

Employee Signature

9-11-13
Date

SECONDARY REVIEW PHASE:

If requested, the investigating supervisor will schedule a meeting with the employee and/or the employee's representative.

Meeting Date: 9/12/13

If agreement is achieved at this meeting, the employee or representative will indicate such on this form. If not, a meeting can be requested with the Assistant Chief by checking the appropriate box.

I disagree and request a meeting with the Assistant Chief

My issues have been resolved and/or I do not request a meeting

Employee Signature

9-18-13
Date

FINAL REVIEW PHASE:

If requested, the investigating supervisor will schedule a meeting with the Assistant Chief and the employee and/or the employee's representative.

Meeting Date: _____

If agreement is achieved at this meeting, the employee or representative will indicate such on this form. If not, the areas of disagreement will be noted on this form.

I continue to disagree with this report

My issues have been resolved

Employee Signature

Date

Unresolved Issues:

Assistant Police Chief: _____

Date: _____



City of El Mirage Police Department



"Serving the Community"

NOTICE OF INVESTIGATION

Employee name: Anthony Kern Date: August 13, 2013 Time: 1510 IA #

An administrative investigation is being conducted into allegations of misconduct, which may include violations of City or department work rules and regulations, concerning the following incident/s: (Include 1) the date, time, location (if known) and other facts that form the basis of the investigation; 2) the specific nature of the investigation; 3) the officer's status in the investigation; and 4) all known allegations of misconduct).

On August 1, 2013 at approximately 1517 hours, , citizen of El Mirage, drafted an email to Dr. Spencer Isom (City Manager) in reference to improper use of a city vehicle. Attached to the email was a photograph of an El Mirage City Code Enforcement vehicle number 5095 parked in front of .

COPIES OF ALL COMPLAINTS THAT CONTAIN THE ALLEGED FACTS THAT ARE REASONABLY AVAILABLE ARE ATTACHED (other than complaints involving matters pursuant to federal laws under the jurisdiction of the Equal Employment Opportunity Commission).

An administrative investigation is being conducted into the circumstances of your direct involvement in a police shooting, in-custody death, use of force incident or driving incident. The incident is described as follows:

As an employee you have specific rights and responsibilities in this investigation.

Initial AK A. You are being compelled by a Department supervisor to truthfully answer questions relating to your duties/conduct, and you can be disciplined up to and including dismissal for refusal to answer these questions.

Initial AK B. Any questions, tests, or examinations you are directed to answer/perform will be narrowly and specifically related to your performance of duties and fitness for office.

Initial AK C. Any compelled statements, tests, or examination results can be used against you in disciplinary/administrative/civil proceeding, but will not be used against you in any subsequent criminal action related to the scope of this investigation. However, false statements made by you can be used in other criminal actions, such as Obstruction of Justice or Perjury.

Initial AK D. Any false, deceptive, or misleading statements you make may lead to additional discipline up to and including dismissal, as well as possible suspension or revocation of your AZPOST Peace Officer Certification (R13-4-109).

Initial AK E. This interview may be recorded by either party. The Department reserves the right to transcribe any mechanical recording of this interview for the purpose of verifying the accuracy of the interview. If requested, you shall review the transcription and sign said transcription if it is found to be accurate.

Initial AK F. You are entitled to receive a copy of this NOI prior to the start of the interview and to retain it throughout the entire course of the interview.

Initial AK G. During the course of the investigation, you have the responsibility to bring to the attention of the investigating supervisor any information, including witness information, or mitigating or exculpatory evidence you believe is relevant to the investigation.

Initial AK H. If you believe this investigation could result in a dismissal, demotion, or suspension, you may have a representative present during the interview.

Yes No An administrative investigation is being conducted into the circumstances of your direct involvement in a police shooting, in-custody death, use of force incident or driving incident. Though not required under A.R.S. §38-1101, the agency will permit you to have a representative (as defined in A.R.S. §38-1101) present during the interview.

Yes No You are being given a direct order not to discuss this investigation, including your interview, with any unauthorized person. Other than the investigating/ supervisor/s and your association representative, you may only discuss this investigation in privileged communications that you may have with your attorney, minister, or spouse. This order remains in effect until you receive a Notice of Findings, or verbal approval from the investigating supervisor.

G. Jan 3281
Investigating Supervisor Signature

RJ
Employee Signature

8-13-13
Date



City of El Mirage Police Department



"Serving the Community"

Notice of Findings for Internal Investigation

Anthony Kern

Employee

1716

Serial#

13-016-CC

Investigation#

Sergeant Craig Cormier

Investigating Supervisor

You were recently involved in an internal investigation in which you were questioned by a supervisor concerning allegations of misconduct that were directed toward you. This memorandum is to inform you of the findings of each allegation. Disciplinary recommendations, if applicable, will be made at the conclusion of the Investigation Review Process.

Allegation #1: Unfounded Exonerated Sustained Unresolved

Describe Allegation: On Thursday, August 1, 2013 at approximately 2:50 PM, Code Enforcement Officer

Anthony Kern used his assigned vehicle to conduct personal business by getting a haircut at Barber

Shop in Youngtown, while on his lunch break.

Allegation #2: Unfounded Exonerated Sustained Unresolved

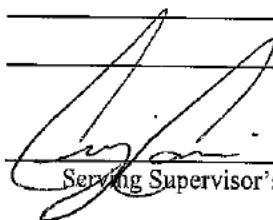
Describe Allegation:

Allegation #3: Unfounded Exonerated Sustained Unresolved

Describe Allegation:

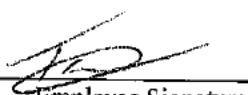
Allegation #4: Unfounded Exonerated Sustained Unresolved

Describe Allegation:


Sergeant Cormier's signature, which appears to be "Craig 3231".

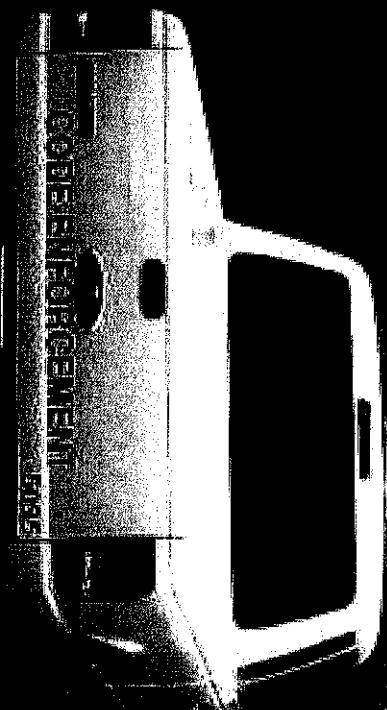
Serving Supervisor's Signature

9/18/13
Date


Employee Signature

9-18-13
Date

HANDY & BEAUTY SHOP





MEMORANDUM

TO: Terry McDonald
Assistant Chief

FROM: Craig Cormier *osc*
Sergeant

APPROVED BY:

SUBJECT: Anthony Kern Investigation

DATE: September 12, 2013

Code Officer Anthony Kern requested a hearing in reference to investigation 13-016-CC. I met with Officer Kern on 9-12-13 at approximately 0737 hours. Officer Kern requested to add the distance from the El Mirage City limits to Barber Shop. I checked the distance through Google Earth, which was one mile. I added the distance in the report at Officer Kern's request, and highlighted the changes in red.

Officer Kern also requested the discipline beyond five years to be removed from the report. Policy 5.01 V.C.5 states the time lines for prior discipline as follows:

Supervisor Counseling (one year)
Written Reprimand (three years)
Suspension – up to and including 180 hours (five years)
Suspension – over 180 hours (ten years)
Demotion (ten years)

With your approval, I will remove any prior discipline beyond policy 5.01 V.C.5 timelines.



City of
EL MIRAGE
Arizona
GRAND HERITAGE, BRIGHT FUTURE!



Police Department

14405 N Palm Street, El Mirage 85335
623-433-9500; 623-933-1341; Fax 623-815-5322
TDD 623-933-3258; www.cityofelmirage.org

August 15, 2013

Dear Mr.

RE: 13-016-CC

This is to acknowledge receipt of your information regarding the possible unauthorized use of a City owned vehicle by a City employee on August 01, 2013.

We appreciate your concerns and thank you for sharing them with us. This information will be thoroughly investigated and brought to conclusion. This matter is being investigated by Sergeant Craig Cormier who may be in contact with you prior to your receipt of this letter. Please feel free to share any information you have regarding this matter with Sergeant Cormier.

For tracking purposes, this matter has been issued the file number 13-016-CC. If you have any questions, please direct them to Sergeant Cormier at _____ or to me. Thank you.

Sincerely,

STEVEN W. CAMPBELL
Police Chief


TERRY A. McDONALD
Assistant Police Chief

Memorandum



CITY OF EL MIRAGE Economic & Community Development

12145 NW Grand Ave. • El Mirage, AZ 85335
PHONE 623-933-8318, TDD 623-933-3258, FAX 623-876-4607

Date: January 21, 2011
To: Scott Chesney, Economic and Community Development Director
Sandy King, HR Director
From: Mary Dickson, Building Official
Re: Anthony Kern

As of January 21, 2011, Anthony Kern has successfully completed all improvements required on the Performance Improvement Plan dated December 14, 2010. He has made a deliberate effort to improve on his teamwork and communication with other officers, documentation and follow up on cases has greatly improved and Anthony appears to be utilizing his time more effectively to accomplish these goals.

I am pleased with his efforts to improve as quickly as he has done and consider the Performance Improvement Plan outcomes completed.

City of El Mirage

PERFORMANCE IMPROVEMENT PLAN

You are being given a Performance Improvement Plan to outline specific areas of deficiency or concern, corrective action designed to improve these areas, and expected outcomes.

Employee Name: Anthony Kern

Job Title: Code Enforcement Officer

Supervisor: Mary Dickson

Department: Community Development

Directions: A Performance Improvement Plan is required for rating factors rated "Improvement Needed" and "Unsatisfactory". The supervisor should prepare the Performance Improvement Plan, with involvement from the reviewer. The purpose of the plan is to help the employee improve in areas noted as deficient on the Performance Evaluation Form. The plan is to specify areas for improvement, identify activities designed to strengthen the employee's performance, and indicate expected outcomes. A separate form can be used for each area requiring improvement, or all areas may be listed on one form.

Areas Needing Improvement:

1. **Documentation-** All activities must be documented where accessible to supervisor or other code officers. Inspections must be input into PNF, pictures attached to any inspection with a citation or notice, follow up inspections recorded; data put into activity log should match PNF entries. Data must contain complete information for others to access.
2. **Timely Data Entry-** Data must be entered the same day as the inspection or activity. Maintain the activity log daily as to basic statistics for the day.
3. **Case follow-up and follow-through-** All inspections must be scheduled for follow up at time of initial data entry. Specific requests for action must be done within two working days. Follow up correspondence with person requesting the action and/or supervisor is mandatory.
4. **Teamwork-** Effort must be made to work as a team with the other officers. Attitudes must be positive in working with code officers.

Activities Designed to Improve Performance:

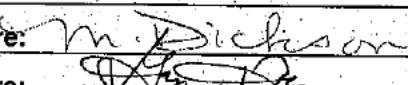
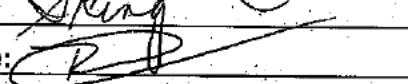
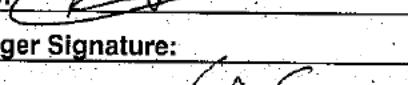
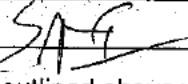
1. **Improve time management-** Establish a routine work schedule and stick with it. A routine will allow time for completion of all activities (inspections, data entry, contacts, etc.). Reduce outside influences, such as personal phone calls or office interactions, which would keep you off this routine schedule.
2. **Daily documentation-** Enter all data on a daily basis. Time scheduled for data entry must take priority.
3. **Follow up/through-** Schedule all follow up inspections in PNF at time of data entry. Contact complainant or supervisor on all follow up activities. Enter this contact in PNF.
4. **Make a conscious effort to communicate with all code officers.** This may be simple greetings to start but should advance to typical conversations within a reasonable time.

City of El Mirage

Timeline for Improvement: January 28, 2010

Date this performance plan begins: December 14, 2010

Follow-Up dates: December 30, 2010, January 14 and 28, 2011

Supervisor Signature:		Date:	12/14/10
Dept. Head Signature:		Date:	12-14-2010
HR Staff Signature:		Date:	12/30/10
Employee Signature:		Date:	December 14, 2010
Assistant City Manager Signature:		Date:	
City Manager Signature:		Date:	12/30/10

Failure to follow and/or improve areas outlined above will result in disciplinary action up to and including termination.

Performance Appraisal

Please Print

Employee Name ANTHONY KERN Title CODE ENFORCEMENT OFFICER
 Department COMMUNITY DEVELOPMENT Employee Payroll # 1716
 Reason for Review Annual Promotion Peer Appraisal Unsatisfactory Performance
 Merit End of Introductory Period Other _____
 Date employee began present position 1/1 Date of last appraisal 9/21/109 Scheduled appraisal date 10/15/10

Instructions: Carefully evaluate employee's work performance in relation to the essential functions of the job. Check Rating box that indicates the employee's performance. Indicate N/A if not applicable. Assign points for each Rating within the Scale and write that number in the corresponding Points box. Points will be totaled and averaged for an overall performance score.

Definitions of Performance Ratings

O – Outstanding – Performance is exceptional in all areas and is recognizable as being far superior to others.

V – Very Good – Results clearly exceed most position requirements. Performance is of high quality and is achieved on a consistent basis.

G – Good – Competent and dependable performance. Meets the performance standards of the job.

I – Improvement Needed – Performance is deficient in certain areas. Improvement is necessary.

U – Unsatisfactory – Results are generally unacceptable and require immediate improvement. No merit increase should be granted to individuals with this rating.

N/A – Not Applicable or too soon to rate.

Performance Factors	Rating	Scale	Points	Supportive Details or Comments
1. Quality – The extent to which an employee's work is accurate, thorough and neat.	O <input type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input checked="" type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	68	<u>IMPROVEMENT NEEDED IN THE AREA OF COMPLETE DOCUMENTATION ON CITED PROPERTIES</u>
2. Productivity – The extent to which an employee produces a significant volume of work efficiently in a specified period of time.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	72	<u>RENEW FOCUS ON CORE RESPONSIBILITIES, INCREASE STATISTICS</u>
3. Job Knowledge – The extent to which an employee possesses the practical/technical knowledge required on the job.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	85	<u>ANTHONY HAS THE KNOWLEDGE TO DO THE JOB REQUIREMENTS</u>
4. Reliability – The extent to which an employee can be relied upon regarding task completion and follow-up.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	68	<u>FOLLOW UP + FOLLOW THROUGH IS AN AREA NEEDING IMPROVEMENT</u>
5. Attendance – The extent to which an employee is punctual, observes prescribed work break/meal periods, and has an acceptable overall attendance record.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	70	<u>LEAVE IS ABOVE AVERAGE. REDUCE VACILATING LEAVE DATES.</u>
6. Independence – The extent to which an employee performs work with little or no supervision.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	75	<u>ANTHONY IS CAPABLE OF MANAGING HIS CASE LOAD WITH LITTLE SUPERVISION</u>

General Factors	Rating	Scale	Supportive Details or Comments
-----------------	--------	-------	--------------------------------

7. Creativity – The extent to which an employee proposes ideas, finds new and better ways of doing things.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 75 <i>ANTHONY IS COMFORTABLE MAKING SUGGESTIONS FOR IMPROVEMENTS</i>
8. Initiative – The extent to which an employee seeks out new assignments and assumes additional duties when necessary.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 75 <i>ACCEPTANCE OF NEW DUTIES/ASSIGNMENTS IS ACCEPTABLE</i>
9. Adherence to Policy – The extent to which an employee follows safety and conduct rules, other regulations, and adheres to company policies.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 70 <i>ADHERES TO SAFETY RULES. AREA OF IMPROVEMENT IS IN TIMELY DATA ENTRY.</i>
10. Interpersonal Relationships – The extent to which an employee is willing and demonstrates the ability to cooperate, work and communicate with coworkers, supervisors, subordinates and/or outside contacts.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 65 <i>NEEDS TO MAKE EFFORT TO WORK AS A TEAM WITH OTHER OFFICERS</i>
11. Judgment – The extent to which an employee demonstrates proper judgment and decision-making skills when necessary.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 75 <i>ANTHONY DEMONSTRATES SOUND JUDGEMENT WHEN NECESSARY</i>

Rate employee's overall performance in comparison to position duties and responsibilities.

Total Points **798** + Number of Factors Rated **11** = **72.5** Overall Rating

<input type="checkbox"/> Outstanding	100 - 90
<input type="checkbox"/> Very Good	89 - 80
<input checked="" type="checkbox"/> Good	79 - 70
<input type="checkbox"/> Improvement Needed	69 - 60
<input type="checkbox"/> Unsatisfactory	Below 60

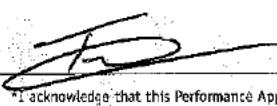
Complete all of the following sections

- Accomplishments or new abilities demonstrated since last review **BEGAN TEACHING COPE CLASSES @ CELA & A2BO. ESTABLISHED TASK FORCE**
- Specific areas of needed improvement **COMPLETE DOCUMENTATION, FOLLOW THROUGH ON CASES, TIMELY DATA ENTRY AND TEAMWORK ATTITUDE.**
- Recommendations for professional development (seminars, training, schooling, etc.) **CELA / A2BO TRAINING, ADVANCE WITH COLLEGE COURSEWORK**
- Absences: Number of incidents **44.5 SICK 90 VAC 39 COMP** Number of days **21.7**

Employee's Comments* *I will be submitting an attachment to this review - Thanks.*

*If necessary, additional sheets may be attached.

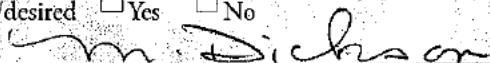
Discussed with individual on **10/15/10**

Employee's Signature 

I acknowledge that this Performance Appraisal was discussed with me.

Follow-up requested/desired Yes No

Follow-Up Date **1/1**

Evaluator's Signature 

Date **10/15/10**



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800-999-9111 • www.gneil.com to reorder
Performance Appraisal #89-A0828

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City of El Mirage

EMPLOYEE GOALS and DEVELOPMENT PLAN

Section II

Employee Name:	Anthony Kern	Position Title:	Code Enforcement Officer
Review Period Beginning:	09/21/2010	Ending:	09/21/2011

Section II: Professional Development Goals – Next Review Period

SMART Goals should be written in a specific, measurable, attainable, agreed upon, realistic, and time oriented manner. Goals should include at least one opportunity for learning outside of normal job duties. (Attach a separate sheet if more than 3 goals)

Development Goal for Next Review Period	Date to be Achieved	Rank goals in priority order (1,2,3)	Affect over rating? Y/N
Attend a minimum of two training sessions- CELA, AZBO or similar opportunities to maintain certifications.	09/2011	1	Y
Attend two HOA/Neighborhood Watch meetings in your Code Area and two HOA ride along with HOA representatives.	09/2011	2	Y
Continue with college level coursework started in 2009.	09/2011	3	N



City of El Mirage

EMPLOYEE GOALS and DEVELOPMENT PLAN

Section I

Employee Name: Anthony Kern

Position Title: Code Enforcement Officer

Review Period Beginning: 09/21/2009

Ending: 09/21/2010

Section II: Completion of Professional Development Goals – Prior Review Period

SMART Goals should be written in a specific, measurable, attainable, agreed upon, realistic, and time oriented manner. Goals should include at least one opportunity for learning outside of normal job duties. (Attach a separate sheet if more than 3 goals)

Development Goal Set Last Review Period	Result Achieved	Rank goals in priority order (1,2,3)	Affect over rating? Y/N
Do preliminary work for establishing a Maricopa County Task Force	Task Force initial meeting held March 2010.	1	Y
Implement Code Enforcement Performance evaluation criteria for Code Enforcement Officers.	N/A with reclassification.	2	No
Take Northern Arizona University class over the next rating period in the area of communication.	Completed Dec. 2009	3	Y



City of El Mirage
Employee Performance Appraisal & Development
Employee Pre-Appraisal Input & Comments

Employee Name: Anthony Kern Review Date: 9-20-10

1. Significant accomplishments achieved since the last review period:

- Teaching A2B0 Classes
- Organized Task Force
- Elected CEMA 3rd Vice President

2. Significant problems encountered since the last review period:

Reclassification from Code Enforcement Coordinator
to Code Enforcement Officer due to "fiscal crisis"
and position elimination.

3. What would you like to improve about your skills and performance during the next review period?

Retain AACE Certification
Continue education

4. Other comments:

I enjoy working with current supervisor Mary Dickson
and am looking forward to continued improvement in
The Code Enforcement Program

Supervisor's Comments:

Employee's Signature: [Signature] Review Date: 9-13-10

Supervisor's Signature: m. Dickson Review Date: 10/1/10

Memorandum

CITY OF EL MIRAGE
HUMAN RESOURCES



CITY OF EL MIRAGE

Community Development Department

12145 NW Grand Ave. • El Mirage, AZ 85335

PHONE 623-933-8318, TDD 623-933-3258, FAX 623-876-4607

MAR 26 2010

RECEIVED

Date: March 17, 2010

To: Anthony Kern, Code Enforcement Coordinator

From: George Flores, Community Development Director

Re: POLITICAL ACTIVITY

cc. BJ Cornwall, City Manager
Dr. Spencer Isom, Assistant City Manager
Rick Flaaen, City Attorney
Toni Brown, Human Resources Director ✓

You have formally advised me that you will run as a candidate for the Glendale City Council this calendar year. In doing so and if elected you must at all times be aware of and adhere to the following City of El Mirage Personnel Policy Manual sections:

Section 1.8 Political Activity

A. Campaigning

The City seeks to maintain neutrality concerning political matters to the extent possible. Employees of the City of El Mirage have a right to entertain and express personal opinions about political candidates and issues; however, when performing their duties on behalf of the City, employees of the City shall maintain neutrality in action and appearance, except where an employee's position entails political advocacy on the part of the City.

No employee or elected official of the city shall use any influence or pressure upon any other employee to obtain any property or contribution of money or time, either direct or indirect, for any political campaign or personal gain.

Each employee retains the right to vote as the employee chooses. An employee shall not engage in political activity in any City of El Mirage election, except to sign a petition, cast a vote or express a private personal opinion.

Employees are free to participate actively in political campaigns for non City of El Mirage elections during non-working hours. Such activity includes, but is not limited to, membership and holding office in a political party, campaigning for a candidate for non City of El Mirage office, and making contributions of time (other than during work hours) or money to individual candidates, political parties or other groups engaged in political activity.

An employee who chooses to participate in political activity during off-duty hours shall not use his or her position within the City or resources of the City in connection with such political activities, and shall not wear a City uniform, identification badge or other City insignia while engaging in such activity.

B. Candidate for Office

Political activity on the national, state or county level is unrestricted, except that any employee seeking election shall refrain from any campaign activity while on duty or while wearing the uniform or insignia of the City and shall refrain from the use of City resources for such political activity. The State level includes any governmental subdivision of the State except the City of El Mirage. An employee holding office in another political subdivision, school district, or at the national, state or county level is required to arrange the employees schedule so as to not interfere with the employee's performance of his/her duties as an employee of the City of El Mirage.

C. Political Activism

Employees shall not engage in political activity during scheduled work hours, or when using government resources including but not limited to vehicles or equipment, or on city property. Political activity includes but is not limited to:

1. Displaying literature, badges, stickers (except bumper stickers on the employees personal vehicle), signs or other items of political advertising on behalf of any party, committee, agency, candidate for political office or measure/issue on, or sought to be placed on, the ballot.
2. Using official authority or position, directly or indirectly, to influence or attempt to influence any other employee in City employment to become a member of any political organization or to take part in any political activity.
3. Soliciting signatures for political candidacy or for the purpose of placing an issue on the ballot.
4. Soliciting or receiving funds for political purposes.

If you have any questions regarding the requirements of the City of El Mirage Personnel Policy Manual you should contact Toni Brown, Human Resources Director.

Memorandum



CITY OF EL MIRAGE
Community Development Department

12145 NW Grand Ave. • El Mirage, AZ 85335
PHONE 623-933-8318, TDD 623-933-3258, FAX 623-876-4607

Date: January 15, 2010

To: George Flores, Community Development Director

From: Anthony Kern, Code Enforcement Coordinator

Re: GLENDALE CITY COUNCIL BID

In the last four council election cycles I have had a strong personal drive to run in the Glendale City Council elections, specifically in the Barrel District. This personal drive has brought me to the current situation which is to run as a candidate for Glendale City Council in my district with the intention of winning the election in the fall. The term is for four years.

In October 2009 I pulled a packet to run as a candidate and told myself I would make a final decision after the holidays. From then until now I have discussed it with many people, met with another council candidate and have decided to move forward in the election process.

The El Mirage Personnel Policy Manual states in Section 1.8 B:

Candidate for Office - Political activity on the national, state or county level is unrestricted, except that any employee seeking election shall refrain from any campaign activity while on duty or while wearing the uniform or insignia of the City and shall refrain from the use of City resources for such political activity. The State level includes any governmental subdivision of the State except the City of El Mirage. An employee holding office in another political subdivision, school district, or at the national, state or county level is required to arrange the employee's schedule so as not to interfere with the employee's performance of his/her duties as an employee of the City of El Mirage.

I can and will keep this separate from my current job duties and will be in the "running" stage at this time. I am fully aware of the attention this may bring to the City of El Mirage and will take a very positive and professional posture while focusing on my current job responsibilities and duties. When I am elected I will be sworn in January 2011 and would, at that time, like to discuss the future. I would appreciate your approval as well as approval by City Administration, specifically the City Manager and Assistant City Manager in this endeavor.

Performance Appraisal

OCT 14 2009

Please Print

Employee Name Anthony Kern Title Code Enforcement Cst.
 Department Community Development Employee Payroll # 1716
 Reason for Review Annual Promotion Peer Appraisal Unsatisfactory Performance
 Merit End of Introductory Period Other _____
 Date employee began present position 1/1 Date of last appraisal 9/21/08 Scheduled appraisal date 9/21/09

Instructions: Carefully evaluate employee's work performance in relation to the essential functions of the job. Check Rating box that indicates the employee's performance. Indicate N/A if not applicable. Assign points for each Rating within the Scale and write that number in the corresponding Points box. Points will be totaled and averaged for an overall performance score.

Definitions of Performance Ratings

O – Outstanding – Performance is exceptional in all areas and is recognizable as being far superior to others.

V – Very Good – Results clearly exceed most position requirements. Performance is of high quality and is achieved on a consistent basis.

G – Good – Competent and dependable performance. Meets the performance standards of the job.

I – Improvement Needed – Performance is deficient in certain areas. Improvement is necessary.

U – Unsatisfactory – Results are generally unacceptable and require immediate improvement. No merit increase should be granted to individuals with this rating.

N/A – Not Applicable or too soon to rate.

Performance Factors	Rating	Scale	Points	Supportive Details or Comments
1. Quality – The extent to which an employee's work is accurate, thorough and neat.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	79	Anthony continues to progress in this area. Proofing/review is improving also.
2. Productivity – The extent to which an employee produces a significant volume of work efficiently in a specified period of time.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	89	Anthony again carried a significant work load and is finding ways to make short cuts w/o losing quality.
3. Job Knowledge – The extent to which an employee possesses the practical/technical knowledge required on the job.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	89	Anthony is increasing his job knowledge both practically and technically.
4. Reliability – The extent to which an employee can be relied upon regarding task completion and follow-up.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	85	Anthony's reliability this past year has grown as he has become more tenured as a supervisor.
5. Attendance – The extent to which an employee is punctual, observes prescribed work break/meal periods, and has an acceptable overall attendance record.	O <input checked="" type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	90	Anthony does very well in this category and starts and quits on time always.
6. Independence – The extent to which an employee performs work with little or no supervision.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	85	Anthony has grown in this area as his confidence has increased in completed Staff work principals.

General Factors**Rating Scale****Supportive Details or Comments**

7. **Creativity** – The extent to which an employee proposes ideas, finds new and better ways of doing things.

O	<input type="checkbox"/>	100-90
V	<input checked="" type="checkbox"/>	89-80
G	<input type="checkbox"/>	79-70
I	<input type="checkbox"/>	69-60
U	<input type="checkbox"/>	Below 60

Points
80

Anthony is beginning to harness all the knowledge base available in the area of his responsibilities

8. **Initiative** – The extent to which an employee seeks out new assignments and assumes additional duties when necessary.

O	<input type="checkbox"/>	100-90
V	<input checked="" type="checkbox"/>	89-80
G	<input type="checkbox"/>	79-70
I	<input type="checkbox"/>	69-60
U	<input type="checkbox"/>	Below 60

Points
82

Anthony displays initiative and assumes assignments. Focus must continue on Core Competencies of Code Enforcement.

9. **Adherence to Policy** – The extent to which an employee follows safety and conduct rules, other regulations, and adheres to company policies.

O	<input type="checkbox"/>	100-90
V	<input type="checkbox"/>	89-80
G	<input checked="" type="checkbox"/>	79-70
I	<input type="checkbox"/>	69-60
U	<input type="checkbox"/>	Below 60

Points
79

Anthony has improved in this area and is working hard to eliminate inadvertent oversights.

10. **Interpersonal Relationships** – The extent to which an employee is willing and demonstrates the ability to cooperate, work and communicate with coworkers, supervisors, subordinates and/or outside contacts.

O	<input type="checkbox"/>	100-90
V	<input checked="" type="checkbox"/>	89-80
G	<input type="checkbox"/>	79-70
I	<input type="checkbox"/>	69-60
U	<input type="checkbox"/>	Below 60

Points
82

Anthony has made progress in this area as a supervisor as well.

11. **Judgment** – The extent to which an employee demonstrates proper judgment and decision-making skills when necessary.

O	<input type="checkbox"/>	100-90
V	<input checked="" type="checkbox"/>	89-80
G	<input type="checkbox"/>	79-70
I	<input type="checkbox"/>	69-60
U	<input type="checkbox"/>	Below 60

Points
80

Anthony has made progress in this area as a manager and as a supervisor as well.

Rate employee's overall performance in comparison to position duties and responsibilities.

Total Points **920** + Number of Factors Rated **11** = **83.6** Overall Rating

<input type="checkbox"/>	Outstanding	100 - 90
<input checked="" type="checkbox"/>	Very Good	89 - 80
<input type="checkbox"/>	Good	79 - 70
<input type="checkbox"/>	Improvement Needed	69 - 60
<input type="checkbox"/>	Unsatisfactory	Below 60

Complete all of the following sections

1. Accomplishments or new abilities demonstrated since last review

Anthony is maturing both as a manager and supervisor. Continues to master the concept of "Completed Staff Work".

2. Specific areas of needed improvement

1. Completed Staff work 2. Supervisory skill set and the nuances associated 3. Systems and procedures, and 4. Rules and regulations.

3. Recommendations for professional development (seminars, training, schooling, etc.)

Stay certified, attend a national conference.

4. Absences: Number of incidents + Nominal

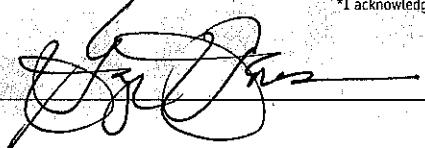
Number of days Nominal

Employee's Comments*

I appreciate the coaching and opportunities provided by the Community Development Director and look forward to another successful year in Code Outreach.

If necessary, additional sheets may be attached.

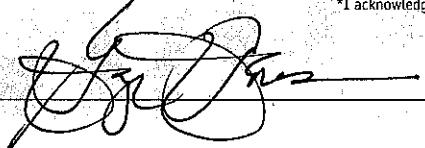
Discussed with individual on **10/14/09**

Employee's Signature 

*I acknowledge that this Performance Appraisal was discussed with me.

Follow-up requested/desired Yes No

Follow-Up Date **-1-1-**

Evaluator's Signature 

Date **10/14/09**





City of El Mirage

EMPLOYEE GOALS and DEVELOPMENT PLAN

Section I

Employee Name:	Anthony Kern	Position Title:	Code Enforcement Coordinator
Review Period Beginning:	September 2008	Ending:	September 2009
Section II: Professional Development Goals - Next Review Period			
SMART Goals should be written in a specific, measurable, attainable, agreed upon, realistic, and time oriented manner. Goals should include at least one opportunity for learning outside of normal job duties. (Attach a separate sheet if more than 3 goals)			
Development Goal for Next Review Period	Date to be Achieved	Rank goals in priority order (1,2,3)	Affect over rating? Y/N
Obtain Code Enforcement Administrator Certification	October 2008	1	Y
Attend College Courses relating to Job Duties	December 2008	3	Y
Update Code Enforcement Policy and Procedures Manual	October 2008	2	Y



City of El Mirage

EMPLOYEE GOALS and DEVELOPMENT PLAN

Section II

Employee Name:

Anthony Kern

Review Period Beginning:

September 21, 2009

**Code Enforcement
Coordinator**

Position Title:

Ending: **September 21, 2010**

Section II: Professional Development Goals – Next Review Period

SMART Goals should be written in a specific, measurable, attainable, agreed upon, realistic, and time oriented manner.
Goals should include at least one opportunity for learning outside of normal job duties. (Attach a separate sheet if more than 3 goals)

Development Goal for Next Review Period	Date to be Achieved	Rank goals in priority order (1,2,3)	Affect over rating? Y/N
Do preliminary work for establishing a Maricopa County Task Force.	Before August 30, 2010	1	Y
Implement Code Enforcement Performance evaluation criteria for Code Enforcement Officers.	Before August 30, 2010	2	Y
Take Northern Arizona University Class over the next rating period in the area of communication.	Before August 30, 2010	3	Y

SEP 29 2008 JDB

Performance Appraisal

Please Print

Employee Name

Anthony Kern

Title

Code Enforcement Coor.

Department

Community Development

Employee Payroll #

17114

Reason for Review

 Annual Promotion Peer Appraisal Unsatisfactory Performance Merit End of Introductory Period Other

Date employee began present position

7

Date of last appraisal

9/21/07

Scheduled appraisal date 9/21/08

Instructions: Carefully evaluate employee's work performance in relation to the essential functions of the job. Check Rating box that indicates the employee's performance. Indicate N/A if not applicable. Assign points for each Rating within the Scale and write that number in the corresponding Points box. Points will be totaled and averaged for an overall performance score.

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O – Outstanding. Performance is exceptional in all areas and is recognizable as being far superior to others.

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G – Good. Competent and dependable level of performance. Meets performance standards of the job.

I – Improvement Needed. Performance is deficient in certain areas. Improvement is necessary.

U – Unsatisfactory. Results are generally unacceptable and require immediate improvement. No merit increase should be granted to individuals with this rating.

N/A – Not Applicable or too soon to rate.

General Factors	Rating	Scale	Supportive Details or Comments
1. Quality – The extent to which an employee's work is accurate, thorough and neat.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 77 <i>Anthony has made progress in this area. Thoroughness is improving.</i>
2. Productivity – The extent to which an employee produces a significant volume of work efficiently in a specified period of time.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 87 <i>Anthony continues to carry a significant workload. Look for ways to work smarter to increase productivity.</i>
3. Job Knowledge – The extent to which an employee possesses the practical/technical knowledge required on the job.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 87 <i>Anthony has very good job knowledge and is making progress in his supervisor skill knowledge.</i>
4. Reliability – The extent to which an employee can be relied upon regarding task completion and follow-up.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 81 <i>Anthony continues to be reliable on routine tasks and is working to do the same in new initiatives and problems that arise.</i>
5. Attendance – The extent to which an employee is punctual, observes prescribed work break/meal periods and has an acceptable overall attendance record.	O <input checked="" type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 90 <i>Anthony does very well in this area with no unscheduled sick leave.</i>
6. Independence – The extent to which an employee performs work with little or no supervision.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 81 <i>Anthony continues to work very independently on routine tasks and is working to get to this same point with new initiatives and assignments.</i>

General Factors

Rating Scale

Supportive Details or Comments

7. Creativity – The extent to which an employee proposes ideas, finds new and better ways of doing things.	O	<input type="checkbox"/>	100-90	Points 76	Anthony proposes creative ideas and is learning to bring them forward in a "Completed Staff Work" fashion.
	V	<input type="checkbox"/>	89-80		
	G	<input checked="" type="checkbox"/>	79-70		
	I	<input type="checkbox"/>	69-60		
	U	<input type="checkbox"/>	Below 60		
8. Initiative – The extent to which an employee seeks out new assignments and assumes additional duties when necessary.	O	<input type="checkbox"/>	100-90	Points 82	Anthony displays initiative and is focusing more on the responsibilities of Code Enforcement.
	V	<input checked="" type="checkbox"/>	89-80		
	G	<input type="checkbox"/>	79-70		
	I	<input type="checkbox"/>	69-60		
	U	<input type="checkbox"/>	Below 60		
9. Adherence to Policy – The extent to which an employee follows safety and conduct rules, other regulations and adheres to company policies.	O	<input type="checkbox"/>	100-90	Points 70	There is room for improvement in this area relative to new initiatives and keeping the chain of command informed.
	V	<input type="checkbox"/>	89-80		
	G	<input checked="" type="checkbox"/>	79-70		
	I	<input type="checkbox"/>	69-60		
	U	<input type="checkbox"/>	Below 60		
10. Interpersonal Relationships – The extent to which an employee is willing and demonstrates the ability to cooperate, work and communicate with coworkers, supervisors, subordinates and/or outside contacts.	O	<input type="checkbox"/>	100-90	Points 80	Anthony continues to work on his skills of understanding other people's styles of communicating and learning to adjust to them.
	V	<input checked="" type="checkbox"/>	89-80		
	G	<input type="checkbox"/>	79-70		
	I	<input type="checkbox"/>	69-60		
	U	<input type="checkbox"/>	Below 60		
11. Judgment – The extent to which an employee demonstrates proper judgment and decision-making skills when necessary.	O	<input type="checkbox"/>	100-90	Points 75	Anthony's judgement on routine items is good and needs to continue to improve in non-traditional issues and complaints.
	V	<input type="checkbox"/>	89-80		
	G	<input checked="" type="checkbox"/>	79-70		
	I	<input type="checkbox"/>	69-60		
	U	<input type="checkbox"/>	Below 60		

Rate employee's overall performance in comparison to position duties and responsibilities.

$$\text{Total Points } 886 \div \text{Number of Factors Rated } 11 = 80.5 \text{ Overall Rating}$$

- Outstanding 100 - 90
- Very Good 89 - 80
- Good 79 - 70
- Improvement Needed 69 - 60
- Unsatisfactory Below 60

Complete all of the following sections

- Accomplishments or new abilities demonstrated since last review *Anthony continues to work on mastering the skills of "Completed Staff Work" and is making progress in this area.*
- Specific areas of needed improvement *Continue to 1.) learn the concepts and practice "Completed Staff Work" 2.) Stay within all cities rules and regulations 3.) Improve continuously - Systems and Procedures.*
- Recommendations for professional development (seminars, training, schooling, etc.) *Stay certified. Continue your college education.*
- Absences: Number of incidents -0- Number of days -0-

Employee's Comments *I appreciate the opportunity to work in the City of El Mirage and will continue to improve and educate myself in the needed areas. I look forward to continued success in the Code Enforcement area.*

If necessary, additional sheets may be attached.

Discussed with individual on 10/16/2008 Employee's Signature [Signature]

*I acknowledge that this Performance Appraisal was discussed with me.

Follow-up requested/desired Yes No

Follow-up Date 1/1

Evaluator's Signature [Signature]

Date 10/16/08





City of El Mirage
EMPLOYEE GOALS and DEVELOPMENT PLAN
Section I

Employee Name: <u>Anthony Kern</u>	Review Period Beginning: <u>September 21, 2007</u>	Position Title: <u>Code Enforcement Coordinator</u>	Ending: <u>September 21, 2008</u>
Section I: Completion of Professional Development Goals – Prior Review Period			
<p>SMART Goals should be written in a specific, measurable, attainable, agreed upon, realistic, and time oriented manner. Goals should include at least one opportunity for learning outside of normal job duties. (Attach a separate sheet if more than 3 goals)</p>			
Development Goal Set Last Review Period	Result Achieved	Rank goals in priority order (1,2,3)	Affect over rating? Y/N
Implement ongoing training program for new code enforcement officers.	May 2008	1	Y
Hire and train new code enforcement staff.	Initiate in March 2008 and ongoing	2	Y
Attend classes and pursue certification as Code Enforcement Administrator; evaluate continuing college program.	August 2008	3	Y



City of El Mirage
EMPLOYEE GOALS and DEVELOPMENT PLAN
Section II

Employee Name:

Anthony Kern

Review Period Beginning:

September 21, 2008

Ending: September 21, 2009

**Code Enforcement
Position Title:
Coordinator**

Section II: Professional Development Goals – Next Review Period

SMART Goals should be written in a specific, measurable, attainable, agreed upon, realistic, and time oriented manner.
Goals should include at least one opportunity for learning outside of normal job duties. (Attach a separate sheet if more than 3 goals)

Development Goal for Next Review Period	Date to be Achieved	Rank goals in priority order (1,2,3)	Affect over rating? Y/N
Obtain Code Enforcement Administrator Certification	Before August 30, 2009	1	Y
Implement Code Enforcement Strategy and continue to refine the policy and procedures manual.	Review dates: December 2008; March 2009; June 2009	2	Y
Attend “completed staff work” seminar or a class in management styles; communication styles	Before August 30, 2009	3	Y

Performance Appraisal

Please Print

Employee Name Anthony Kern
Department 10-545 "CD"

Reason for Review Annual Promotion Peer Appraisal

RECEIVED

Title Code Enforcement Officer
Employee Payroll # 1716

Unsatisfactory Performance
 Other _____

Date employee began present position / / Date of last appraisal 9/21/10 Scheduled appraisal date 9/21/10

Instructions: Carefully evaluate employee's work performance in relation to the essential functions of the job. Check Rating box that indicates the employee's performance. Indicate N/A if not applicable. Assign points for each Rating within the Scale and write that number in the corresponding Points box. Points will be totaled and averaged for an overall performance score.

Definitions of Performance Ratings

O – Outstanding. Performance is exceptional in all areas and is recognizable as being far superior to others.

V – Very Good. Results clearly exceed most position requirements. Performance is of high quality and is achieved on a consistent basis.

G – Good. Competent and dependable level of performance. Meets performance standards of the job.

I – Improvement Needed. Performance is deficient in certain areas. Improvement is necessary.

U – Unsatisfactory. Results are generally unacceptable and require immediate improvement. No merit increase should be granted to individuals with this rating.

N/A – Not Applicable or too soon to rate.

General Factors	Rating	Scale	Points	Supportive Details or Comments
1. Quality – The extent to which an employee's work is accurate, thorough and neat.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	75	Anthony's work is generally accurate and neat. Thoroughness on new initiatives can be improved.
2. Productivity – The extent to which an employee produces a significant volume of work efficiently in a specified period of time.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	85	Anthony carries a significant workload in a timely fashion. System improvements can be made.
3. Job Knowledge – The extent to which an employee possesses the practical/technical knowledge required on the job.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	85	Anthony has good technical knowledge. He is achieving more skills in the area of supervision.
4. Reliability – The extent to which an employee can be relied upon regarding task completion and follow-up.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	80	Anthony is reliable on daily tasks. The area of new initiatives and strategies can be improved.
5. Attendance – The extent to which an employee is punctual, observes prescribed work break/meal periods and has an acceptable overall attendance record.	O <input checked="" type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	92	Anthony is very punctual and has outstanding attendance with no sick leave in the rating period.
6. Independence – The extent to which an employee performs work with little or no supervision.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	80	Anthony works extremely independent on daily work assignments. New initiatives and strategies require more oversight from his supervisor at this time.

General Factors	Rating	Scale	Supportive Details or Comments
7. Creativity – The extent to which an employee proposes ideas, finds new and better ways of doing things.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 75 <i>Anthony brings creative ideas forward and is learning the "Completed" Staff Work manner to bring new ideas to fruition.</i>
8. Initiative – The extent to which an employee seeks out new assignments and assumes additional duties when necessary.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 80 <i>Anthony shows very good initiative and is learning the "Completed" Staff work Concepts in this area as well.</i>
9. Adherence to Policy – The extent to which an employee follows safety and conduct rules, other regulations and adheres to company policies.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 70 <i>There have been no accidents or job injuries in Anthony's area. There is room for improvement in this area relative to finance, approvals and procedures.</i>
10. Interpersonal Relationships – The extent to which an employee is willing and demonstrates the ability to cooperate, work and communicate with coworkers, supervisors, subordinates and/or outside contacts.	O <input type="checkbox"/> V <input checked="" type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 80 <i>Anthony's relationship with staff is good and he is learning to "read" and understand the differences in other people's styles and manner of communicating.</i>
11. Judgment – The extent to which an employee demonstrates proper judgment and decision-making skills when necessary.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 75 <i>Anthony's judgement is good on daily repetitive items and he is working to learn how to handle non-traditional issues and opportunities.</i>

Rate employee's overall performance in comparison to position duties and responsibilities.

$$\text{Total Points } 877 \div \text{Number of Factors Rated } 11 = 79.7 \text{ Overall Rating}$$

<input type="checkbox"/> Outstanding	100 - 90
<input checked="" type="checkbox"/> Very Good	89 - 80
<input type="checkbox"/> Good	79 - 70
<input type="checkbox"/> Improvement Needed	69 - 60
<input type="checkbox"/> Unsatisfactory	Below 60

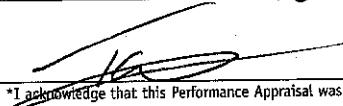
Complete all of the following sections

- Accomplishments or new abilities demonstrated since last review *Many positive outcomes and new initiatives have occurred in the Code Enforcement area attributable to Anthony's work and efforts.*
- Specific areas of needed improvement *1.) Learn and implement the concepts of "Completed Staff Work" 2.) Stay within finance and other City rules and regulations 3.) Improve systems and procedures*
- Recommendations for professional development (seminars, training, schooling, etc.) *Ongoing certification training and continue your college education.*
- Absences: Number of incidents -0- Number of days -0-

Employee's Comments *As I continue my College education at NACU I hope to excel in the areas mentioned above.*

*If necessary, additional sheets may be attached.

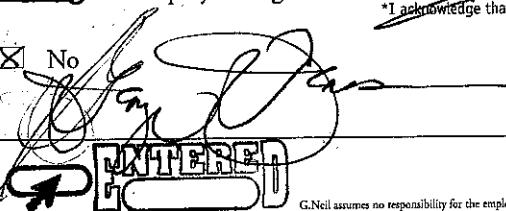
Discussed with individual on 6/20/2008

Employee's Signature* 

*I acknowledge that this Performance Appraisal was discussed with me.

Follow-up requested/desired Yes No

Follow-up Date 1/1

Evaluator's Signature 

Date 6/20/08





City of El Mirage
EMPLOYEE GOALS and DEVELOPMENT PLAN
Section I

Employee Name:

ANTHONY KERN

Review Period Beginning:

SEPTEMBER 21, 2006

CODE ENFORCEMENT
COORDINATOR

Position Title:

Ending: SEPTEMBER 21, 2007

Section I: Completion of Professional Development Goals – Prior Review Period

SMART Goals should be written in a specific, measurable, attainable, agreed upon, realistic, and time oriented manner.
Goals should include at least one opportunity for learning outside of normal job duties. (Attach a separate sheet if more than 3 goals)

Development Goal Set Last Review Period	Result Achieved	Rank goals in priority order (1,2,3)	Affect over rating? Y/N
ATTEND AGTS AND RECEIVE CERTIFICATION IN SUPERVISORY ACADEMY	RECEIVED CERTIFICATION	1	Y
IMPLEMENT CODE ENFORCEMENT POLICY AND PROCEDURES MANUAL	POLICY AND PROCEDURES MANUAL IMPLEMENTED	2	Y
ATTEND ONGOING CODE ENFORCEMENT PRACTITIONER MEETINGS INVOLVING WEST VALLEY CITIES	ATTEND AND HOSTED WEST VALLEY PRACTITIONER MEETINGS	3	Y



City of El Mirage

EMPLOYEE GOALS and DEVELOPMENT PLAN

Section II

Employee Name: ANTHONY KERN Position Title: CODE ENFORCEMENT COORDINATOR

Review Period Beginning: SEPTEMBER 21, 2007 Ending: SEPTEMBER 21, 2008

Section II: Professional Development Goals – Next Review Period

SMART Goals should be written in a specific, measurable, attainable, agreed upon, realistic, and time oriented manner. Goals should include at least one opportunity for learning outside of normal job duties. (Attach a separate sheet if more than 3 goals)

Development Goal for Next Review Period	Date to be Achieved	Rank goals in priority order (1,2,3)	Affect over rating? Y/N
IMPLEMENT ONGOING TRAINING PROGRAM FOR NEW CODE ENFORCEMENT OFFICERS	MAY 2008	1	Y
HIRE AND TRAIN NEW CODE ENFORCEMENT STAFF	INITIATE IN MARCH 2008 AND ONGOING	2	Y
OBTAIN CERTIFICATION AS CODE ENFORCEMENT ADMINISTRATOR/ EVALUATE CONTINUING COLLEGE PROGRAM	AUGUST 2008	3	Y

RESOLUTION NO. R05-01-02

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, AMENDING THAT CERTAIN DOCUMENT KNOWN AS "THE CITY OF EL MIRAGE PERSONNEL POLICIES".

BE IT RESOLVED by the Mayor and Common Council of the City of El Mirage as follows:

THAT, Article 1 – Statement of Principles, Section 4 – Personnel Policy Advisory Committee is amended as follows:

There is hereby established a Personnel Policy Advisory Committee, which shall be appointed by the City Manager for a period of three (3) years and shall serve at the pleasure of the City Manager. The Personnel Policy Advisory Committee shall consist of three (3) TWO(2) ADMINISTRATIVE STAFF REPRESENTATIVES, TWO (2) SUPERVISORY STAFF REPRESENTATIVES AND TWO (2) citizens of the City of El Mirage who are not employed by the City. THE PERSONNEL POLICY ADVISORY COMMITTEE IS A VOLUNTEER POSITION ONLY.

THE PERSONNEL POLICY ADVISORY COMMITTEE SHALL HAVE TWO FUNCTIONS. The Personnel Policy Advisory Committee shall meet with the City Manager not less than one time per year, for the purpose of providing THE CITY MANAGER WITH ADVICE CONCERNING GENERAL PERSONNEL ACTIVITIES AND POTENTIAL CHANGES TO THE CITY'S PERSONNEL POLICIES. THE COMMITTEE, ALSO, IN ACCORDANCE WITH ARTICLE 6, SECTION 2, SHALL REVIEW DISCIPLINARY DECISIONS, AS DIRECTED BY THE CITY MANAGER, AND MAKE RECOMMENDATIONS TO THE CITY MANAGER AS TO WHETHER THE DISCIPLINE SHOULD BE MODIFIED, REVERSED OR UPHELD. AS STATED IN SECTION 2 OF ARTICLE 6, THE COMMITTEE'S DECISIONS IN THIS REGARD SHALL BE ADVISORY AND THE CITY MANAGER SHALL BE THE FINAL DECISION MAKER. ~~an outside impartial view when reviewing and proposing amendments or revisions to this policy and may also act as advisers to the City Manager on personnel policy matters. Following the meeting, the City Manager shall direct the Personnel Officer to draft appropriate amendments or revisions to the policy for submission to the City Council for approval.~~

THAT, Article 6, Dismissal, Demotion, Suspension, Section 2 – Disciplinary Action Procedure, Subsections A, B, and C are amended and Subsections D and E are added to read as follows:

- A. Notice of Proposed Disciplinary Action

~~Prior to any disciplinary action, the supervisor or the department manager shall, in writing, notify the employee of the alleged violations and the disciplinary action being considered.~~

~~The notice of proposed disciplinary action shall be given on a form provided by the Personnel Department and shall include:~~

- (a) ~~Name of employee.~~
- (b) ~~Name of supervisor filing the proposed action.~~
- (c) ~~The date the action is proposed to take effect.~~
- (d) ~~A thorough statement on the incident(s) or cause(s) that resulted in the filing of the action report.~~
- (e) ~~The disciplinary action recommended by the reporting supervisor.~~
- (f) ~~The signature of the reporting supervisor.~~
- (g) ~~The Department manager shall acknowledge by signing and shall note his acceptance or rejection of the action ordered or recommended by the supervisor. He/she may order or recommend alternative action.~~
- (h) ~~The signature of the charged employee with his/her acknowledgement of the charges. The employee may indicate his acceptance of the charge(s) or request for appeal, and may attach a rebuttal statement.~~
- (i) ~~The signature of the Personnel Officer acknowledging his/her approval of the notice as to form.~~
- (j) ~~When suspension over three (3) days, demotion or dismissal is ordered, the City Manager shall acknowledge and approve the action by signing the action sheet.~~

~~The employee may accept or contest the disciplinary action by signing the notice form in the appropriate space within five (5) working days. The employee's failure to sign the form within the five (5) working days shall end the appeal process and the recommended action shall become official and shall be executed as outlined on the notice form.~~

~~The employee may be placed on leave during this period of time, when it is deemed to be the best interest of the City.~~

~~Employees charged with violations of the Personnel Policy shall have the right to representation during all levels of Appeal Proceedings.~~

THE CITY RESERVES THE RIGHT TO IMPOSE UPON EMPLOYEES CERTAIN DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION. SEE ARTICLE 6, SECTION 3 FOR A NON-EXHAUSTIVE LIST OF BEHAVIORS THAT WOULD OR COULD GIVE RISE TO DISCIPLINARY ACTION. PRIOR TO IMPOSING ANY SUCH DISCIPLINARY ACTION INVOLVING TERMINATION, DEMOTION OR A SUSPENSION WITHOUT PAY, THE CITY WILL, THROUGH THE EMPLOYEE'S SUPERVISOR, DEPARTMENT MANAGER, OR OTHER

ACTION. FOR EACH ALLEGATION DENIED, THE EMPLOYEE SHOULD PROVIDE A DESCRIPTION OF THE EVIDENCE IN SUPPORT OF THE DENIAL. IF DESIRED, FOR EACH ALLEGATION ADMITTED, THE EMPLOYEE MAY EXPLAIN ANY CIRCUMSTANCES EXCUSING OR CLARIFYING THE CONDUCT.

IF A WRITTEN RESPONSE IS NOT RECEIVED BY THE HUMAN RESOURCES MANAGER WITHIN FIVE (5) CALENDAR DAYS FROM THE DATE IN WHICH THE EMPLOYEE RECEIVES THE NOTICE OF PROPOSED DISCIPLINARY ACTION, THE DISCIPLINARY ACTION PROPOSED IN THE NOTICE SHALL BE IMPOSED AND THE EMPLOYEE SHALL BE DEEMED TO HAVE WAIVED HIS OR HER RIGHT TO CONTEST AND APPEAL THE DISCIPLINARY ACTION.

IF THE EMPLOYEE PROVIDES A WRITTEN RESPONSE IN THE MANNER SET FORTH ABOVE, THE EMPLOYEE'S WRITTEN RESPONSE SHALL BE CONSIDERED BY THE CITY AND THE CITY SHALL PROVIDE THE EMPLOYEE WITH A WRITTEN REPLY WITHIN FIVE (5) CALENDAR DAYS. IN THE WRITTEN REPLY, THE CITY SHALL INFORM THE EMPLOYEE OF WHETHER OR NOT THE DISCIPLINARY ACTION HAS BEEN UPHELD. IF THE DISCIPLINARY ACTION IS UPHELD, THE DISCIPLINARY ACTION SHALL BE IMPOSED IMMEDIATELY AND SHALL STAND UNLESS OVERTURNED IN ACCORDANCE WITH SUBSECTIONS C AND D BELOW. FOR EXAMPLE, IF THE DISCIPLINE IMPOSED IS TERMINATION, THE TERMINATION SHALL TAKE EFFECT ON THE DATE OF THE CITY'S WRITTEN REPLY TO THE EMPLOYEE, THE EMPLOYEE'S COMPENSATION SHALL CEASE ON THAT DATE AND THE EMPLOYEE WILL BE PROVIDED WITH HIS OR HER LAST PAYCHECK WITHIN THREE (3) WORKING DAYS. SIMILARLY, IF THE DISCIPLINE IMPOSED RESULTS IN A REDUCTION IN PAY SHALL BE EFFECTIVE IMMEDIATELY.

C. Appeal by Any/All Parties to City Manager TO HEARING OFFICER OR PERSONNEL POLICY ADVISORY COMMITTEE.

~~In the event, the written decision of the Personnel Hearing Officer is unacceptable to any one of the parties involved, the decision may be appealed to the City Manager. The appeal shall include a statement addressing the points which the complaining party disagrees with the Personnel Hearing Officer's findings and decision. Such appeal shall be filed within five (5) days of receipt of the Hearing Officer's written decision.~~

~~Any employee may be represented before the Personnel Hearing Officer or the City Manager, by any person or representative of the employee's choice. However, should the employee choose to be represented by an attorney, he must notify the Personnel Officer and the time constraints imposed by this article will be extended ten (10) working days to allow ample time for the employee and the City to obtain legal representation.~~

APPROPRIATE CITY OFFICIAL, NOTIFY, IN WRITING, THE EMPLOYEE OF THE PROPOSED DISCIPLINARY ACTION UNDER CONSIDERATION.

THE CITY SHALL PROVIDE, ON A FORM PROVIDED BY THE PERSONNEL DEPARTMENT, NOTICE OF PROPOSED DISCIPLINARY ACTION. THAT NOTICE SHOULD PROVIDE THE FOLLOWING:

- (1) THE EMPLOYEE'S NAME;
- (2) THE NAME OF THE EMPLOYEE'S SUPERVISOR;
- (3) THE DATE ON WHICH THE PROPOSED DISCIPLINARY ACTION IS SCHEDULED TO BECOME EFFECTIVE;
- (4) A STATEMENT OF THE REASONS UNDERLYING THE PROPOSED DISCIPLINARY ACTION. THE PURPOSE OF THE STATEMENT IS TO NOTIFY THE EMPLOYEE OF THE CONDUCT THAT LEAD TO THE PROPOSED DISCIPLINE;
- (5) A DESCRIPTION OF THE PROPOSED DISCIPLINARY ACTION;
- (6) THE SIGNATURE OF THE REPORTING SUPERVISOR;
- (7) THE SIGNATURE OF THE RELEVANT DEPARTMENT MANAGER;
- (8) A SIGNATURE LINE FOR THE EMPLOYEE TO SIGN
ACKNOWLEDGING RECEIPT OF THE NOTICE. THE EMPLOYEE MAY, ON THE NOTICE, EITHER ACCEPT THE CHARGES AND PROPOSED DISCIPLINARY ACTION OR RESPOND IN THE MATTER
RPREScribed IN SECTION B, BELOW;
- (9) THE SIGNATURE OF THE HUMAN RESOURCES MANAGER,
ACKNOWLEDGING APPROVAL OF THE FORM OF THE NOTICE;
- (10) THE CITY MANAGER'S SIGNATURE ON THE ACTION SHEET
ACKNOWLEDGING AND APPROVING OF THE PROPOSED ACTION,
WHEN THE PROPOSED DISCIPLINE CONSISTS OF SUSPENSION IN EXCESS OF THREE DAYS, DEMOTION, OR DISMISSAL.

B. Employee's Appeal to Personnel Officer RESPONSE TO NOTICE OF PROPOSED DISCIPLINARY ACTION

~~The employee's decision to appeal shall automatically be forwarded to the personnel officer. The Personnel Officer shall notify the Personnel Hearing Officer and a hearing shall be scheduled within five (5) working days. The department manager shall forward all documentation along with the appeal request.~~

IF THE EMPLOYEE DESIRES TO CONTEST THE DISCIPLINARY ACTION PROPOSED IN THE NOTICE DESCRIBED IN SUBSECTION A ABOVE, THE EMPLOYEE MUST, WITHIN FIVE (5) CALENDAR DAYS FROM THE DATE IN WHICH HE OR SHE RECEIVED THE NOTICE OF PROPOSED DISCIPLINARY ACTION, SUBMIT A WRITTEN RESPONSE TO THE HUMAN RESOURCES MANAGER. IN THE WRITTEN RESPONSE, THE EMPLOYEE MUST ADMIT OR DENY EACH AND EVERY ALLEGATION SET FORTH IN THE NOTICE OF PROPOSED DISCIPLINARY

IF THE EMPLOYEE DESIRES TO APPEAL THE CITY'S IMPOSITION OF DISCIPLINARY ACTION, THE EMPLOYEE SHALL, WITHIN TEN (10) CALENDAR DAYS OF RECEIVING THE CITY'S WRITTEN REPLY TO THE EMPLOYEE'S WRITTEN RESPONSE, SUBMIT A WRITTEN NOTICE OF APPEAL TO THE HUMAN RESOURCES MANAGER. IN THE NOTICE OF APPEAL, THE EMPLOYEE SIMPLY NEEDS TO STATE THAT HE OR SHE DISAGREES WITH THE DISCIPLINE IMPOSED AND DESIRES THAT THE MATTER PROCEED TO AN ADMINISTRATIVE HEARING. THE FAILURE BY AN EMPLOYEE TO TIMELY SUBMIT A NOTICE OF APPEAL TO THE HUMAN RESOURCES MANAGER SHALL CONSTITUTE A WAIVER OF AND EXTINGUISH THE EMPLOYEE'S FURTHER APPEAL RIGHTS.

IF THE EMPLOYEE SUBMITS A TIMELY NOTICE OF APPEAL, THE EMPLOYEE SHALL BE ENTITLED TO A HEARING WHICH SHALL BE AT THE DISCRETION OF THE CITY MANAGER AS TO WHETHER IT IS TO BE CONDUCTED BY THE PERSONNEL POLICY ADVISORY COMMITTEE (PPAC) OR A THIRD-PARTY HEARING OFFICER. IF THE EMPLOYEE SUBMITS A TIMELY NOTICE OF APPEAL, THE CITY SHALL NOTIFY THE PPAC COMMITTEE OR HEARING OFFICER THAT A HEARING HAS BEEN REQUESTED AND THE PPAC COMMITTEE OR HEARING OFFICER SHALL SET A HEARING DATE AS SOON AS PRACTICABLE.

AN EMPLOYEE WHO IS SUBJECT TO DISCIPLINARY ACTION UNDER THIS SECTION (SECTION 2) HAS THE RIGHT TO LEGAL REPRESENTATION THROUGHOUT THE ENTIRE PROCESS, INCLUDING DURING THE PROCEEDINGS BEFORE THE PPAC COMMITTEE OR HEARING OFFICER. SUCH AN EMPLOYEE WILL HAVE THE RIGHT TO PRESENT EVIDENCE AND QUESTION ANY WITNESSES IN ATTENDANCE. THE PPAC COMMITTEE OR HEARING OFFICER SHALL HEAR EVIDENCE AND RENDER AN OPINION.

THE PPAC COMMITTEE OR HEARING OFFICER SHALL HAVE THIRTY (30) CALENDAR DAYS FROM THE CLOSE OF THE HEARING WITHIN WHICH TO ISSUE AN OPINION. THE OPINION SHALL BE IN WRITING. IF THE PPAC COMMITTEE OR HEARING OFFICER REQUESTS A WRITTEN TRANSCRIPT OF THE PROCEEDINGS, THE PPAC COMMITTEE OR HEARING OFFICER SHALL HAVE THIRTY (30) DAYS FROM THE DATE ON WHICH HE/SHE RECEIVES A COPY OF THE HEARING TRANSCRIPT WITHIN WHICH TO ISSUE AN OPINION. THE PPAC COMMITTEE OR HEARING OFFICER SHALL PROVIDE TO THE CITY MANAGER AND THE EMPLOYEE OR THE EMPLOYEE'S DESIGNATED LEGAL REPRESENTATIVE A COPY OF THE OPINION. AS SET FORTH IN SUBSECTION D, BELOW, THE PPAC COMMITTEE OR HEARING OFFICER'S OPINION SHALL BE ADVISORY.

D. CITY MANAGER'S REVIEW AND FINAL DECISION

THE PPAC COMMITTEE OR HEARING OFFICER'S DECISION, AS DESCRIBED IN SUBSECTION C, ABOVE, IS ADVISORY. THE CITY MANAGER WILL HAVE TEN

(10) CALENDAR DAYS FROM THE DATE ON WHICH HE/SHE RECEIVES A COPY OF THE PPAC COMMITTEE OR HEARING OFFICER'S ADVISORY OPINION WITHIN WHICH TO ISSUE HIS/HER FINAL DECISION. THE CITY MANAGER CAN AFFIRM, REVERSE, MODIFY, REMAND FOR A NEW HEARING, OR PARTIALLY AFFIRM AND PARTIALLY REVERSE THE PPAC COMMITTEE OR HEARING OFFICER'S ADVISORY OPINION. THE CITY MANAGER'S DECISION SHALL BE FINAL AND NOT SUBJECT TO ANY FURTHER REVIEW. THE CITY MANAGER SHALL, WITHIN THE TEN-DAY TIME PERIOD DISCUSSED ABOVE, SEND TO THE EMPLOYEE OR THE EMPLOYEE'S DESIGNATED LEGAL REPRESENTATIVE A COPY OF THE CITY MANAGER'S FINAL DECISION.

E. TIME FOR PURPOSES OF DISCIPLINARY ACTION PROCEDURE

AS SET FORTH IN THIS PROCEDURE, ALL DAYS WITHIN THIS PROCEDURE SHALL BE CALENDAR DAYS UNLESS SPECIFIED OTHERWISE. FURTHER, THE LAST DAY OF THE PERIOD SO COMPUTED SHALL BE INCLUDED UNLESS IT IS A SATURDAY, A SUNDAY OR A CITY RECOGNIZED HOLIDAY, IN WHICH EVENT THE PERIOD RUNS UNTIL THE NEXT DAY THAT IS NOT A SATURDAY, SUNDAY OR CITY RECOGNIZED HOLIDAY.

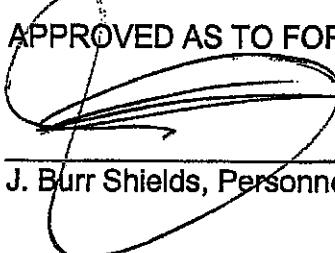
PASSED AND ADOPTED by the Mayor and Common Council of the City of El Mirage, Arizona, this 13th day of January, 2005.


Fred Waterman, Mayor

ATTEST:


Edith W. Hoover, City Clerk

APPROVED AS TO FORM:


J. Burr Shields, Personnel Attorney

RESOLUTION NO. R06-06-18

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, AMENDING ARTICLE 6, DISMISSAL, DEMOTION, SUSPENSION, SECTION 2 – DISCIPLINARY ACTION PROCEDURE, BY ADDING C. EMPLOYEE'S APPEAL TO THE PERSONNEL HEARING OFFICER.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA:

Section 2 – DISCIPLINARY ACTION PROCEDURE

B. Employee's Appeal to Personnel Manager/DIRECTOR

The employee's decision to appeal shall automatically be forwarded to the personnel manager's/DIRECTOR'S office and a hearing shall be scheduled within five (5) working days. The department manager shall forward all documentation along with the appeal request.

C. EMPLOYEE'S APPEAL TO THE PERSONNEL HEARING OFFICER

DURING A POST-DISCIPLINARY HEARING, THE DISCRETION AND STANDARD OF REVIEW FOR A PERSONNEL HEARING OFFICER SHALL BE AS FOLLOWS: THE HEARING OFFICER SHALL DETERMINE (1) WHETHER THE CITY OF EL MIRAGE ACTED IN AN ARBITRARY OR CAPRICIOUS MANNER IN CONCLUDING THAT IT POSSESSED CAUSE TO DISCIPLINE THE EMPLOYEE AND (2) WHETHER THE DISCIPLINE ADMINISTERED WAS SO SEVERE AS TO BE SHOCKING TO THE PERSONNEL HEARING OFFICER'S SENSE OF FAIRNESS.

C. D. Appeal by Any/All Parties to City Manager

In the event, the written decision of the Personnel Officer-HEARING OFFICER is unacceptable to any one of the parties involved, the decision may be appealed to the City Manager. The appeal shall include a statement addressing the points which the complaining party disagrees with the Personnel Officer's HEARING OFFICER'S findings and decision.

The City Manager shall notify all parties of the appeal and shall give the parties five (5) working days to submit written statements on their behalf. The Personnel Officer HEARING OFFICER shall deliver to the City Manager all records of the hearing including any and all recordings and transcripts of the hearings.

The City Manager shall review all documentation and evidence in the matter and render a decision or call for an additional hearing on the issue(s) within five (5) working days following receipt of all documentation. Should the City Manager determine that an additional hearing is required, said hearing shall be scheduled within five (5) working days.

The City Manager shall render a final decision within three (3) working days following said hearing.

THE CITY MANAGER'S DECISION SHALL BE FINAL.

PASSED AND ADOPTED by the City Council of the City of El Mirage this 22nd day of June, 2006.


Fred Waterman, Mayor

ATTESTED:


Edith W. Hoover, City Clerk

APPROVED AS TO FORM:


Fredda J. Bisman, City Attorney
Mariscal, Weeks, McIntyre and
Friedlander, P.A., City Attorneys

ARTICLE 6
DISMISSAL, DEMOTION, SUSPENSION

SECTION 1 - STATEMENT OF POLICY

It is the responsibility of both management and the employees to work in harmony and within the guidelines of all regulations set forth by the City of El Mirage. Said regulations are designed to provide quality service to the public while maintaining safe and sound working conditions and ideals throughout the ranks of the City's employees.

Management will make every effort to provide positive and constructive counseling to the City's employees.

Employees are expected to accept such counseling and to perform within the guidelines, rules and regulations set forth by the City. Employees are encouraged to seek assistance and counseling when they feel it is appropriate and necessary in the performance of their jobs.

Disciplinary actions should not be taken lightly by either management or employees.

All disciplinary actions shall be documented in writing and shall become a permanent part of the employee's personnel record.

Verbal warnings shall not be considered disciplinary actions unless the employee fails to respond positively to the direction given or continuously repeats the same activity. Such activities will then be reduced to writing in the form of a formal reprimand and shall include details as to the number of verbal warning which took place and resulted in a written reprimand.

SECTION 2 - DISCIPLINARY ACTION PROCEDURE

A. Notice of Proposed Disciplinary Action

Prior to any disciplinary action, the supervisor or the department manager shall, in writing, notify the employee of the alleged violations and the disciplinary action being considered.

The notice of proposed disciplinary action shall be given on a form provided by the Personnel Department and shall include:

- (a) Name of employee.
- (b) Name of supervisor filing the proposed action.
- (c) The date the action is proposed to take effect.

- (d) A thorough statement on the incident(s) or cause(s) that resulted in the filing of the action report.
- (e) The disciplinary action recommended by the reporting supervisor.
- (f) The signature of the reporting supervisor.
- (g) The department manager shall acknowledge by signing and shall note his acceptance or rejection of the action ordered or recommended by the supervisor. He/she may order or recommend alternative action.
- (h) The signature of the charged employee with his/her acknowledgement of the charges. The employee may indicate his acceptance of the charge(s) or request for appeal, and may attach a rebuttal statement.
- (i) The signature of the Personnel Officer acknowledging his/her approval of the notice as to form.
- (j) When suspension over three (3) days, demotion or dismissal is ordered, the City Manager shall acknowledge and approve the action by signing the action sheet.

The employee may accept or contest the disciplinary action by signing the notice form in the appropriate space within five (5) working days. The employee's failure to sign the form within the five (5) working days shall end the appeal process and the recommended action shall become official and shall be executed as outlined on the notice form.

The employee may be placed on leave during this period of time, when it is deemed to be in the best interest of the City.

Employees charged with violations of the Personnel Policy shall have the right to representation during all levels of Appeal Proceedings.

B. Employee's Appeal to Personnel Manager

The employee's decision to appeal shall automatically be forwarded to the personnel manager's office and a hearing shall be scheduled within five (5) working days. The department manager shall forward all documentation along with the appeal request.

C. Appeal by Any/All Parties to City Manager

In the event, the written decision of the Personnel Officer is unacceptable to any one of the parities involved, the decision may be appealed to the City Manager. The appeal shall include a statement addressing the points which the complaining party disagrees with the Personnel Officer's findings and decision.

The City Manager shall notify all parties of the appeal and shall give the parties five (5) working days to submit

written statements on their behalf. The Personnel Officer shall deliver to the City Manager all records of the hearing including any and all recordings and transcripts of the hearings.

The City Manager shall review all documentation and evidence in the matter and render a decision or call for an additional hearing on the issue(s) within five (5) working days following receipt of all documentation. Should the City Manager determine that an additional hearing is required, said hearing shall be scheduled within five (5) working days.

The City Manager shall render a final decision within three (3) working days following said hearing.

THE CITY MANAGER'S DECISION SHALL BE FINAL.

SECTION 3 - REASONS FOR DISCIPLINE

The continued employment of every employee in the City service shall be contingent upon acceptable conduct and satisfactory performance of duties. Failure to meet such standards of conduct and work performance for any of the following listed reasons shall be grounds for disciplinary action including dismissal. Said reasons not to be considered all inclusive:

1. If the employee is incompetent or inefficient in the performance of his/her duties;
2. If the employee has been abusive in his/her attitude, his language or has been abusive in his/her conduct resulting in physical or mental harm or injury to his/her fellow employees, wards of the City or the public;
3. That the employee fails to perform the duties required in his/her job classification;
4. That the employee has violated any lawful or official regulation or order or failed to obey any lawful and reasonable direction given him/her by his/her superior officer or supervisor;
5. The employee has been found under the influence of alcohol or drugs which affect safety or performance while on duty;
6. That the employee had taken for personal use a fee, gift, or other valuable thing in the course of his/her work or in connection with it, when such fee, gift or other valuable thing is given him/her by any person in

the hope or expectation of receiving a favor or better treatment than that accorded other persons;

7. The employee has used, threatened to use or attempted to use, political influence for himself/herself or any other employee in securing employment benefits or advantages;
8. The employee has been convicted of a felony, or a misdemeanor involving moral turpitude;
9. That the employee has made false statements, written or otherwise, attempting to conceal any past or present criminal activity;
10. That the employee, through negligence or willful conduct has caused damage to public property or waste of public supplies;
11. That the employee has been absent without leave, or has failed to report after a leave of absence has expired, or after such leave of absence has been disapproved or revoked by the City Manager.
12. The employee has engaged in outside business activities on City time or has used City property for his/her personal use;
13. That the employee has directly or indirectly received or paid any assessment, subscription or contribution for the purpose of electing any candidate to a municipal public office;
14. That the employee has engaged in improper political activities prohibited by Article 2, Section 8 of these Policies and Procedures;
15. It has been found that the employee has malingered and abused sick leave privileges;
16. That the employee has been guilty of any other conduct of equal gravity to the reasons enumerated in this Article;
17. That the employee deliberately gave incorrect information on his/her employment application.
18. That the employee has not followed the "chain of command" as established by his department manager and these rules;
19. That the employee has used his/her position for personal gain or profit;

20. That the employee has violated any provisions of these Policies and Procedures.

SECTION 4 - DEMOTION

The department manager, with written consent of the City Manager, may demote an employee whose ability to perform required duties falls below the minimum job requirements or for disciplinary purposes.

Upon request of the employee, and with the consent of the City Manager, demotion may be made to a vacant position. No employee shall be demoted to a position for which he/she does not possess the minimum qualification.

Written notice of the demotion shall be given the employee prior to the effective date of the demotion, and a copy filed with the Personnel Officer.

An employee who is demoted to a lower class for which the maximum rate of pay is less than his/her current rate of pay in the higher class shall be paid at a rate fixed by the City Manager, but shall not exceed the maximum rate of the lower class or exceed his/her former rate of pay. A promoted employee who fails to perform minimum job requirements shall be demoted to that rate of pay held prior to the promotion. The demoted employee shall be given a new classification date effective upon demotion.

SECTION 5 - SUSPENSION

The department manager with the written consent of the Personnel Officer, may suspend an employee from his/her position up to and including three (3) working days at any time for a disciplinary purpose. Suspensions of more than three (3) working days shall be approved by the City Manager. Suspension without pay shall not exceed thirty calendar days in any twelve month period. Any suspension shall be reported in writing, giving the reasons and duration within twenty-four hours to the Personnel Officer, who shall place a copy in the employee's personnel file. A copy shall be provided to the employee.

No employee shall be permitted to use accrued vacation or sick leave for suspension purposes. Additionally, no employee benefits will accrue during the time of suspension.

SECTION 6 - DISCIPLINARY PROBATION

An employee may be placed on disciplinary probation and, during that time, shall accrue vacation and sick leave time. However, the employee shall not accrue earned time for salary review or promotion while on such probation nor shall he/she be allowed to

compete in promotional examinations while on disciplinary probation. Disciplinary probation shall be not less than three (3) months nor more than six (6) months. Persons placed on disciplinary probation may be terminated for failure to meet job requirements without the right to appeal.

SECTION 7 - FAILURE OF COMPLIANCE

If the employee fails to supply written response as specified and within the specified time limits, the proceedings will be assumed to be concluded and the appeal dropped.

SECTION 8 - EMPLOYEE REPRESENTATIVES

Any employee may be represented before the Personnel Officer or the City Manager, by any person or representative of the employee's choice. However, should the employee choose to be represented by an attorney, he must notify the Personnel Officer and the time constraints imposed by this article will be extended ten (10) working days to allow ample time for the employee and the City to obtain legal representation.

City of El Mirage
Notice of Proposed Disciplinary Action

CITY OF EL MIRAGE
HUMAN RESOURCES

JUL 09 2008

RECEIVED

Name of Employee: Anthony Kern **Effective Date of Action:** July 10, 2008

Name of Supervisor Filing Proposed Action: George Flores, Community Development Director

Incidents or causes that resulted in the disciplinary action:

City Management received reports that Anthony Kern, Code Enforcement Coordinator, was doing real estate work in the City of El Mirage. Mr. Kern was shown a flyer by Spencer Isom for Century 21 that had Mr. Kern's photo and the photo of another real estate agent along with contact information for a house that is for sale at , El Mirage, AZ. Mr. Kern noted his partner is the lead agent on this property and that the real estate "header" which includes his name and photo along with his partner's name and photo was the standard "header" that they mutually use in their real estate business.

Mr. Kern said that this was his partners' listing and that he was not sharing in any of the proceeds of the sale of the property if that occurred in the future. Mr. Kern indicated that he would contact his partner and make sure that his picture and name would be removed from any real estate work his partner was doing in El Mirage.

Mr. Kern was asked by Mr. Isom if he was doing any real estate work in El Mirage? Mr. Kern noted he had agreed to be the real estate agent for another city employee who owns a home in El Mirage. Mr. Kern said that he was never told that his real estate work in El Mirage was a conflict of interest or prohibited. George Flores and Mr. Isom noted that they had had conversations with Anthony regarding the inappropriateness of doing real estate work in El Mirage or with any El Mirage residents, El Mirage customers or El Mirage employees. As the conversation continued Mr. Kern admitted that he was present and had discussions from which he understood that his real estate work in El Mirage was not allowed even though he had never received such direction in writing. Mr. Isom and Mr. Flores reiterated the real and perceived conflict of interest that results from doing real estate work in El Mirage in light of his responsibilities as Code Enforcement Coordinator.

Mr. Kern was asked by Mr. Isom if he recently had his magnetized real estate signs on his private vehicle while on city property. This issue had been discussed with Mr. Kern as a concern by both Mr. Isom and Mr. Flores when it had occurred before. Mr. Kern admitted that at times he has forgotten to remove the signs before coming to work and would insure that it would not happen again.

Mr. Kern was asked by Mr. Isom if he was doing real estate work on city time, receiving real estate faxes at city offices, receiving real estate phone calls or discussing his real estate business with city employees or passing out his real estate cards on city time or city property? Mr. Kern denied he was doing any of these things on city time or city property.

City of El Mirage
Notice of Proposed Disciplinary Action

Mr. Kern inquired if he could go to his real estate office over the lunch hour. Mr. Flores advised how difficult it would be to go to his real estate office, conduct business and then return to work all within one hour which is considered his personal time. If his lunch hour on such occasions extended beyond the one hour lunch period then it would become a violation of city rules and the prohibition of doing his real estate work on city time.

Disciplinary action recommended:

Mr. Kern has admitted to being noted on a real estate flyer for a house that is for sale in El Mirage. Mr. Kern has admitted to agreeing to be the real estate agent for another City of El Mirage employee for a home that the employee owns in El Mirage. He acknowledged that he understood before these most recent actions had been taken that he was prohibited from working as a real estate agent in El Mirage or using city time, resources or city property for his real estate work. Mr. Kern admitted that he has left his real estates agent signs on his personal vehicle on city property and on city time even though he had been previously directed to make sure not to do so after previous similar incidents.

In light of these facts and in light of previous counseling sessions and direction to Mr. Kern regarding his real estate work as it relates to the City of El Mirage, it is recommended that Mr. Kern be suspended for one day without pay. Any further infractions or violations of this or any other city rules or regulations will result in further discipline up to and including termination.



Department Director
RHF

6-24-2008

Date

Approved as to Form:

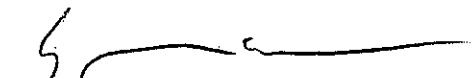


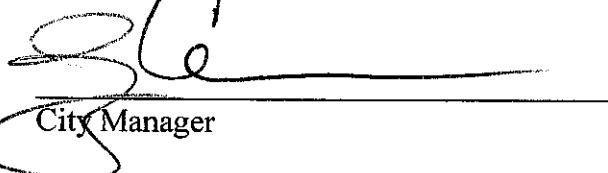
Human Resources Director

6-24-08

Date

Acknowledgement and Approval of Disciplinary Action:



Assistant City Manager


City Manager

6-24-08

Date

6/25/08

Date

**City of El Mirage
Notice of Proposed Disciplinary Action**

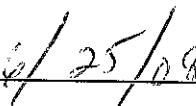
Attachments:

The employee may accept or contest the disciplinary action. If the employee desires to contest the disciplinary action proposed, the employee must, within five (5) calendar days from the date in which he or she received the Notice of Proposed Disciplinary Action, submit to the Human Resources Director a written notice of appeal. In the written response, the employee must admit or deny each and every allegation set forth in the notice of proposed disciplinary action. For each allegation denied, the employee should provide a description of the evidence in support of the denial. If desired, for each allegation admitted, the employee may explain any circumstances excusing or clarifying the conduct. The employee's failure to submit a request to appeal within the five (5) working days shall end the appeal process and the recommended action shall become official and shall be executed as outlined in the notice above. Article 6 of the Personnel Policies and Procedures as amended by Resolutions No. R05-01-02 and R06-06-18 will govern any appeal of this decision. A copy of those provisions is attached.

Acknowledgement of Receipt:



Signature of Employee


Date

Memo – City of El Mirage

Date: 21 December 2006
To: Anthony Kern's Employee File
From: Sharon Antes, Executive Assistant
Through: Chris Young, Operations Director/City Engineer
Subject: Written Counseling Re: Resident's Complaint

This is a note to Anthony Kern's employee file regarding an incident that occurred on Tuesday 12/19/06 between Anthony Kern and resident . The incident was investigated by Sharon Antes and Chris Young. Sharon took the initial complaint from and later in the morning of 12/19/06. Approximately an hour later, they returned and spoke to Sharon and Chris Young about a follow up to the incident. Chris Young talked with City of El Mirage Police Officer Arend (who responded to Anthony's call).

, along with his friend, , lodged a complaint against Anthony claiming harassment and retaliatory behavior. The claim was that there had been two previous contacts from Anthony but that there had not been an official citation issued telling them what was expected from the City. They further claimed that Anthony orchestrated a bogus police citation immediately following this incident. It was their contention that Anthony was aggressive and bullying in his behavior and that his comments were inappropriate, specifically the comment "I'll see you in court sweetheart."

On review the next day with Anthony Kern and his witness, , the incident was related that they were not directly trying to engage in dialogue nor were they going to his house, rather, to the neighbor's house. They detailed previous visits to the property and problems encountered in bringing the property into city compliance. Anthony confirmed that he called 911 because he felt threatened by what he claimed was aggressive behavior and acknowledged that he made the "sweetheart" comment. Anthony denied direct contact with the police regarding vehicle citation.

It was determined by the Department Director, Chris Young, that there was inappropriate behavior by both resident and employee Anthony Kern. Anthony has been counseled that as a representative of the city, he is held to a higher standard and expected to be courteous and polite to all residents in every encounter. Anthony understands, and acknowledges, that it is not the intent of the City to have its Code Enforcement Officers antagonize or single out any particular resident. Anthony further understands and acknowledges that every effort needs to be made, by Code Enforcement, to fulfill its functions in a participatory and educational manner working with residents to attain Code compliance.

Anthony acknowledges reviewing and receiving this counseling by signing below.

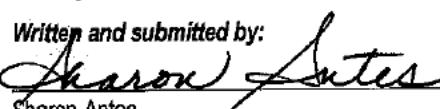
Acknowledged:


Anthony Kern

12/22/06

Date

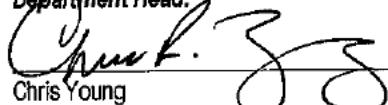
Written and submitted by:


Sharon Antes

12/21/06

Date

Department Head:


Chris Young

12/21/06

Date



Memo – City of El Mirage

Date: 07 September 2006
To: Anthony Kern Employee File
From: Sharon Antes
Through: Chris Young
Subject: Written Reprimand re: Accident involving City vehicle

This is a note to employee file regarding the vehicle accident involving employee Anthony Kern that took place Tuesday, August 5, 2006 – see attached completed Incident Report, Insurance Claim Form, Police Report, and written statement by Anthony Kern.

Inasmuch as this is the second vehicular incident involving Anthony Kern and a city vehicle within the past year, this "Note-to-File" will serve a written reprimand to employee Anthony Kern that he is on notice regarding care of city equipment and attention to driving city vehicles. Preliminary review of the vehicle by the city Fleet Mechanic indicates that the front frame is bent, the entire front end is damaged and the vehicle will most likely need to be auctioned at salvage. Insurance investigation and claim is currently pending.

Depending on the circumstances and a review of past related incidents, any future damage to city vehicles or equipment (being operated by Anthony) may result in any or all of the following:

1. Anthony being required to take, and satisfactorily complete, a remedial driving course selected by the City of El Mirage.
2. Remuneration to the City for repair or replacement of damaged vehicles or equipment.
3. Disciplinary action up to and including termination of employment.

Anthony acknowledges reviewing and receiving this reprimand by signing below.

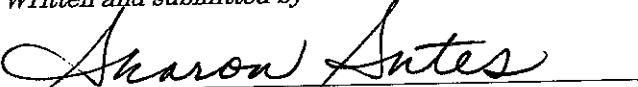
Acknowledged:


Anthony Kern

9-8-06

Date

Written and submitted by:


Sharon Antes

9/8/06

Date

Department Head:


Chris Young

9/8/06

Date

INCIDENT REPORT

Page 1 of 3

Risk Management Use Only:

City Incident #

Liability:

Property Loss/Damage:

Auto Loss/Damage:

SECTION I

(Complete in full)

1. Incident Information:

Reporting Date:

Sept 06, 2006

Date of Incident:

Sept 05, 2006

Location of Incident:

Pr. mirage and Grand Avenue

City:

El Mirage

State:

AZ

Zip:

85335

Type of Loss: (Auto, Property, Injury-Fire, Wind, Etc.)

Auto

Describe what happened: Vehicle #205 headed NW in access along Grand Avenue, stopped at stop sign @ Pr. mirage, proceeded across intersection (see attached)

City Employee Involved in Incident:

Anthony Kern

Contact Person for Additional Information:

Anthony Kern

Witness/Passenger Name(s):

N/A

Address:

N/A

Phone #:

N/A

Was a Police Report Filed? Yes X No _____

Report # _____

Where Filed?

Location of accident

SECTION II

(Complete A, B or C)

A. For Auto/Motorized Equipment Loss/Damage Municipal Vehicle Information

Plate: 629IEF

VIN:

Vehicle #

Year:

Make:

Model:

Driver's Name:

Anthony Kern

Department:

Describe Damage:

front end damage - bumper off -

damage to front of vehicle

Where can Vehicle be Seen?

City parking lot

INCIDENT REPORT

Page 2 of 3

B. Other Vehicle Information

Year: _____

Plate: _____

VIN: _____

Make: _____

Model: _____

Owner's Name: _____

Address: _____

Phone: _____

Driver's Name: _____

Address: _____

Phone: _____

Describe How Accident Occurred: See attached

Describe Damage: Front end damage

SECTION III

For Other Municipal Losses

A. Property Loss/Damage:

Owner's Name: _____

Address: _____

Phone: _____

Description of Lost/Damaged Property: _____

If City Owned: Serial Tag # _____

Estimated Damage: _____

Repair: _____

Replace: _____

INCIDENT REPORT

Page 3 of 3

B. Injury/Accident

Injured's Name:

N/A

Address:

Phone:

Nature & Extent of Injury/Accident:

Exact Location of Injury/Accident:

Cause of Injury/Accident

Was person given First-Aid?

Yes

No

If Yes, Describe First-Aid Treatment Administered

Sent for Medical Treatment?

Yes

No

If Yes, Where?

C. FOR PARKS & RECREATION USE ONLY:

Age of Participant

Parent/Guardian Name:

Program Name

Location:

Program Supervisory Ratio

No. of Program Participants:

Fill in where applicable:

Attended by Doctor

Name:

Time:

Removed to Hospital

Name:

Time:

Parent Notified

Name:

Time:

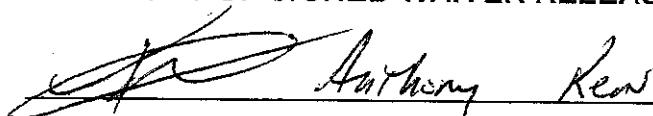
Parent/person who picked up child

Name:

Time:

PLEASE ATTACH COPY OF SIGNED WAIVER RELEASE FORM, IF APPLICABLE

Reported by:

Anthony Keon

Date

9-6-06

Department Head Signature:

Date



City of El Mirage City Clerk's Office

12145 N.W. Grand Ave., Suite 5 P.O. Box 26 El Mirage, AZ 85335 (623) 876-2952 Fax (623) 972-8110

NOTICE OF CLAIM FORM

The undersigned submits the following information and makes claim against the **City of El Mirage**, and/or employee _____ as follows:

CLAIMANT INFORMATION

Claimant name: _____

Address: _____

Phone Number Home _____ Other _____

OCCURRENCE OR EVENTS GIVING RISE TO THE CLAIM

Date of Occurrence September 5, 2006 Time 3:30 p.m.

Location Corner of Grand Avenue & Primrose

Give specifics of the occurrence, event, act or omission that you claim caused your injury or damage.

City Car and driver heading NW along access road. 4 vehicles in turn lanes onto Grand Avenue, 2 turning left & 2 turning right. City Vehicle stopped for stop sign and proceeded into intersection. Other Vehicle (2nd vehicle) came from Grand Avenue into intersection. Two Trucks parked in left turn lane obscured both drivers view. 2nd vehicle hit city vehicle in front passenger side.

Describe how or why you believe the City and /or an employee was at fault

N/A See attached Police report

DESCRIPTION OF PROPERTY DAMAGE AND INJURIES

Claimant vehicle information

Year _____ Make _____ Model _____ License Plate _____

Was a police report filed? Yes No Don't Know

Police agency involved El Mirage Police Department

Describe the property that was damaged

Extensive front-end damage.

Dollar amount of property damage claimed \$ _____

Describe the personal injuries suffered

N/A - NONE

Dollar amount of personal injuries suffered \$ _____

TOTAL DAMAGES CLAIMED \$ _____

(Attach receipts, or other documentation of the amounts claimed. Attach medical

reports where available).

WITNESSES

List all witnesses, with their name(s), address and phone.

Are there any additional comments, details or information you want us to consider in responding to your claim?

NONE

By signing, you verify the information presented in this claim is true to the best of your knowledge and belief.

Signature Sharon Sutes Date 9/6/06

Notice of Claim Received by:

Name _____ Date _____

EL MIRAGE PD (73-1341)

ARIZONA TRAFFIC ACCIDENT REPORT

REPORT ID						Agency Report Number
YEAR	MONTH	DAY	HOUR	NCIC NO.	OFFICERS ID NO.	Total No. of Sheets
06	09	05	1521	0708	03209	06-03121 2

1 POLICE ONLY - FORWARD COPY TO
ADOT TRAFFIC RECORDS SECTION 064R
206 S. 17th AVE., PHOENIX, ARIZONA 85007-3233

COMPLETE THE FOLLOWING SUPPLEMENT IF ANY (circle) AND ANY (diamond) ARE CHECKED

2	Total Units 2	Total Injuries 0	Total Fatalities 0	Estimated Total Damage Compared to Limit: <input checked="" type="checkbox"/> Over <input type="checkbox"/> Under	Fatal <input type="checkbox"/> Govt. Prop. <input type="checkbox"/> Hit/Run <input type="checkbox"/>	Persons Transported for Immediate Medical Care? <input type="checkbox"/>	Tow Away of At least One Vehicle from Scene? <input type="checkbox"/>	District or Grid No. 0100
3	LOCATION On Highway/Road/ Street Primo's ACCESS Intersecting Street, Road / M.P. or R.P. <input checked="" type="checkbox"/> At <input type="checkbox"/> From				Inside <input checked="" type="checkbox"/> Outside <input type="checkbox"/>	City EL MIRAGE	County MARICOPA	
					<input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> Plus <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> Minus	Distance	<input type="checkbox"/> Measured <input type="checkbox"/> Miles <input type="checkbox"/> Approximate <input type="checkbox"/> Feet	

2

TRAFFIC UNIT NO.

4

TRAFFIC UNIT NO.

TRAFFIC UNIT NO.

5 PASSENGERS

Seating Position 07 04 01 08 05 02 09 06 03			Safety Devices 10 Not in Passenger Compart 11 Motorcycle, Bus 12 Other 13 Unknown 14 Pedalcyclist			Injury Severity Codes 1 - No injury 2 - Possible Injury 3 - Non Incapacitating Injury 4 - Incapacitating Injury 5 - Fatal Injury 6 - Not Reported / Unknown				
Unit #	Seat Pos	SD	Name	Address	City	State	Zip Code	Age	Sex	Inj

6 Other Property Damage (Describe)

Owner's Name _____ Address _____ City _____ State _____ Zip Code _____ Telephone Number _____

7 WITNESSES

Name	Address	City	State	Zip Code	Telephone Number	Age

Photos <input checked="" type="checkbox"/> Yes Taken <input type="checkbox"/> No	Photographed Name ID Number, and Agency #3237	Invest. <input checked="" type="checkbox"/> Yes at Scene <input type="checkbox"/> No	Date Invest. 11/3/00	Time Invest. 12:30
Officer's Signature and ID Number W. Collier #3207		Agency	Date Completed 11/3/00	

September 6, 2006

At around 3:20 pm on Tuesday September 05, 2006 I was driving a City of El Mirage vehicle #205 NW along the Grand Avenue access road. I was wearing my seat belt at the time. I stopped for the stop sign at Primrose and waited for my turn at the intersection. I noticed in the left turn lane onto Grand Avenue there were two trucks parked in the turning lane with the rear truck having a camper on it. There were also two vehicles in the right turn lane onto Grand Avenue. I proceeded out into the intersection at approximately 2-3 miles per hour and the front end of my vehicle was hit on the passenger side. The car that hit my vehicle was doing approximately 10-15 miles per hour and was a

(see attached traffic accident report). No injuries were reported by either driver. I asked the driver of the other car if he was okay and he said he was fine. I also asked him if he would like me to call an ambulance and he said no. Neither car was disabled and both were driven off to the side of the road. He stated he was going to work and wanted to stop and grab a burrito at _____ on Primrose Street. I immediately called the El Mirage Police Department and two squad cars came to the accident scene. A police report was filed. I immediately went to Concentra to get a medical examination at which no injuries were found and I was released to go back to work.

Anthony Kern



Maricopa County Justice Courts, Arizona

HASSAYAMPA JUSTICE COURT 14264 W. Tierra Buena Lane 85374-7419 602-372-2000

CASE NUMBER: _____

Anthony Thomas Kem

STATE OF ARIZONA

vs.

Defendant

Deputy County ATTORNEY

ATTORNEY for Defendant

MINUTE ENTRY

Date: 1/22/07

On 1/22/07 Judge _____ heard the above civil traffic case. Judge _____ has found the plaintiff Not Responsible. The case has been vacated.

I CERTIFY that I mailed a copy of this MINUTE ENTRY to:

State at the above address

Defendant at the above address or Defendant's attorney

Date: _____

By: SO
Clerk



City of El Mirage
Employee Performance Review & Development

Employee Name: Anthony Kern
Job Title: Code Enforcement Officer

Department: Public Works
Review Due Date: 9/21/06
Review Period: 9/21/05 – 9/21/06

Performance Standards	Rating	X	Weight	=	Total
GENERAL PERFORMANCE STANDARDS (FOR ALL EMPLOYEES)					
1. Job Knowledge & Skills	3		.20		.60
2. Quality of Work	2.5		.20		.50
3. Planning & Organizing	3		.10		.30
4. Compliance with Policies & Procedures	2.5		.10		.25
5. Service, Teamwork & Interpersonal Skills	2.5		.10		.25
6. Communication Skills	2		.20		.40
7. Safety & Use of Resources	2		.10		.20
DEPARTMENT PERFORMANCE STANDARDS (TO BE DETERMINED BY DEPARTMENT DIRECTOR) *OPTIONAL					
8.					
9.					
SUPERVISORY/MANAGERIAL PERFORMANCE STANDARDS					
10. Supervisory/Managerial Skills					
DEPARTMENT DIRECTORS					
11. Departmental Effectiveness					
12. Leadership Skills					
TOTALS			100%		2.50

Ratings of 5, 4, 2, and 1 must be explained and attached.

Achievement Levels	Overall Level of Achievement
(5) Exceptional: Significantly exceeds position's performance standards; performance substantially exceeds performance of others at similar position levels.	<input type="checkbox"/> Exceptional 4.5 – 5.0
(4) Exceeds Standards: Exceeds position's performance standards; performance exceeds that of most others at similar position levels.	<input type="checkbox"/> Exceeds Standards 3.5 – 4.49
(3) Meets Requirements: Meets position's performance standards; performance which is expected from experienced and qualified individuals.	<input checked="" type="checkbox"/> Meets Requirements 2.5 – 3.49
(2) Improvement Required: With few exceptions, meets position's performance standards. Employee has potential with some additional training to meet requirements.	<input type="checkbox"/> Improvement Required 1.5 – 2.49
(1) Unsatisfactory: Does not meet position's performance standards; performance is clearly below adequate; requires substantial remedial training.	<input type="checkbox"/> Unsatisfactory 1.0 – 1.49

Achievement Level
Overall Achievement Level (circle one) 1 2 3 4 5
Merit Increase % for this achievement level: 3 %

Performance Review Information (FOR USE BY HUMAN RESOURCES)			
Annual Performance Review Period:	to	Job Title	
Current Base Salary \$		Salary Range	
Min. Salary \$	Midpoint Salary \$	Max Salary \$	



City of El Mirage
Employee Performance Review & Development
Post-Review Input and Comments

Employee Name: Anthony Kern Review Due Date: 9/21/06

SUPERVISOR COMMENTS:

Anthony needs direction and guidance on his authority and responsibilities in his position, clarity on chain-of-command, and improvement on procedures and attitude.

Supervisor Signature

Sharon Gates 12/01/06
Date

I have reviewed the comments above:

Employee Signature

I have attached a statement

J.A.K. 12/1/06
Signed under protest
I disagree with this review

SUPERVISOR COMMENTS:

Supervisor Signature

Date

I have reviewed the comments above:

Employee Signature

Date

I have attached a statement

DIRECTOR COMMENTS:

I have reviewed and agree with the comments contained in this evaluation. It is absolutely imperative that Anthony follow the "chain-of-command" and take direction from his supervisors and keep them aware of his activities so that they may direct and "re-direct" him as necessary.

Director Signature

Chris R. Bissell 12/01/06
Date

I have reviewed the comments above:

Employee Signature

12-1-06

Date

I have attached a statement

Signed under protest - I disagree with this review

Employee: I have reviewed the completed Employee Performance Review and Development and recommendation for merit increase for the next rating year.

Employee Signature

R 12/7/06
Date

Signed under protest.



City of El Mirage
Employee Performance Review & Development
Explanation of Ratings 5, 4, 2, 1

* Ratings of Meets Requirements (3) do not need to be explained. Ratings of 5, 4, 2, and 1 must have examples of the employee's performance to justify the rating.

1. Job Knowledge and Skills: **Rating 3**

Anthony maintains the expected levels of job knowledge.

2. Quality of Work: **Rating 2.5**

Anthony often needs input from his supervisor on how to appropriately handle routine matters. An example would be when he had a mentally "challenged" resident sign a non-specific promissory note without witnesses present. He often sets up appointments with residents and then is late or does not show up for the appointments. His finished work product is often not usable as submitted. An example would be code proposals and rewrites that are inappropriate or conflicting with other codes.

3. Planning & Organizing: **Rating 3**

4. Compliance with Policies and Procedures: **Rating 2.5**

Anthony often requires direction with regard to proper use of leave time. He schedules time off with little or no notice to his supervisor. One example was a sudden last-minute need to attend a rare coin convention in San Diego on a Thursday and Friday requiring both code officers to attend. When given the option of attending without pay and no make up time, Friday was sufficient; the coin apparently was not rare and Friday afternoon was spent at the beach. Another example was when he scheduled and paid for a non-refundable flight to Africa and requested time off only days before departure. He often implements procedures that conflict with City Code. For example he implemented a garage sale sign policy and form that was both contradictory to Code and was not discussed or reviewed by management staff. Anthony communicated directly with the Judge about a specific case which caused the Judge to have to recuse himself. He also wrote a proposal and implemented a "Neighborhood Preservation Project" that was never discussed nor reviewed by his supervisor. There were no goal measurements or accountability discussed relative to this project. He does not follow chain-of-command and lobbies council members, city mayor, residents and other staff directly. For example, he openly solicits letters from residents when they are complimentary or thankful for an action he has taken, he directly lobbied a council member for support of an ordinance change without prior preparation or review, he lobbied the Mayor regarding his personal pay package and he influenced a memo to be written by a police officer requesting equipment.



City of El Mirage
Employee Performance Review & Development
Explanation of Ratings 5, 4, 2, 1

5. Service, Teamwork and Interpersonal Skills:

Rating 2.5

Anthony is frequently late or forgets to attend regularly scheduled bi-monthly staff meetings. He does not appropriately coordinate with the Building Official or Building Inspector relative to verifying or discussing building code issues when addressing blighted buildings around the city. For example, he has made decisions that could have serious liability repercussions for the City without the required technical certifications or qualifications or even conferring with the Building staff. He does not communicate with Front Counter staff or Permit Tech about actions taken in the field that may have direct impact on their safety or ability to effectively communicate with residents who come to the counter.

6. Communication Skills:

Rating 2

Anthony sometimes appears discourteous or indifferent to residents and customers. He is often perceived by residents to have a tone that is "condescending." He sometimes lacks tact and diplomacy creating a potentially volatile situation with residents. This lack of tact and diplomacy can potentially lead to tension and/or confrontation. One formal restraining order has been filed against him and several others were threatened. Often, Anthony does not communicate with City staff to advise them of citations issued and prepare for potentially disgruntled customers who come to City Hall with a citation notice or needing direction. When staff members call, Anthony frequently does not answer his cell phone.

7. Safety & Use of Resources:

Rating 2

Anthony has had two vehicle accidents within this review period; on the first occasion, vehicle was left unattended and in gear while running which ran into the back end of a resident's parked truck; on the second occasion, there was an intersection collision in which the vehicle was ultimately totaled by insurance. Police and written reports are on file.



City of El Mirage
Employee Performance Review & Development
Employee Pre-Review Input & Comments

Employee Name Anthony Kern

Review Date September 21, 2006

1. Significant accomplishments achieved since the last review period:

T.A.G. assisted in implementation. - 2005/2006

Maricopa County/Graffiti Watch

Demolitions - 4 - 6 pending

Commendations from neighborhoods

BULK trash events (2)

Adult Probation Coordination

Assisted in 30 graffiti arrests.

County Attorney Relationship relating to Code Enforcement

Lien filing process -

Recording Notices Process -

Grants Training Classes

2. Significant problems encountered since the last review period:

Code changes; Zoning changes; Criminal Court process -

New Prosecutors - Juvenile Court Hearings -

New Relationship w/ MCSO

3. What would you like to improve about your skills and performance during the next review period? Certification in the building inspections area; Training in taser and self defense, procedures for Code enforcement written and implemented;

Driving Record -

Working on a revised/new Procedure book for Code Enforcement.

Grants for CE -

4. Other comments:

Employee Performance Review and Development
Review period September 21, 2005 to September 21, 2006
Response from Anthony Kern
November 30, 2006

1) Job Knowledge and Skills Rating 3

Rating 3
There have been new milestones reached within the past 12 months in the Code Enforcement Division thanks to Code Enforcement Officers and myself. One milestone is organizing and working with a citizen group from El Mirage who recently received a national award, first place winner for Keep America Beautiful Graffiti Hurts Award. My involvement in receiving this award started from day one to help build this organization. There have been several positive media publications in the Arizona Republic and the Surprise Today newspapers, and television interviews regarding the City of El Mirage, Code Enforcement, and the progress made in the past year. Attached are some of these media publications. One particular interview with Channel 12 was very positive and related to the success of the graffiti program. During the interview a probation worker who worked with Code Enforcement to remove graffiti and cut weeds, , stopped by and stated what a positive impact the Code Enforcement Department and myself in particular had on his life.

Also, I have been instrumental in building quality relationships with the Phoenix Community Alliance, the County Attorney, El Mirage Police, El Mirage Fire Department, other City Departments, and the citizens of El Mirage over the past 12 months. Because of this El Mirage is being looked at throughout the State of Arizona as an example of what city government, partnering with its citizens, can do to eradicate blight, graffiti, and dilapidated structures. I continually get emails and phone calls from officials at Avondale, Surprise, Youngtown, Peoria, and Goodyear requesting Code Enforcement policies, procedures, and El Mirage City Code. The El Mirage Police Department, ELMFD, MCSO, and the County Attorney meet with me or call on a continual basis to ask questions regarding city code and how to implement certain code in their respective professional areas.

During the past 12 months I have maintained my certification as a Certified Code Enforcement and Zoning Officer, Interior Training certification with Nan-McKay, Crime-Free Multi-Housing as a certified Arizona Trainer, and Section 8 Housing Quality Standards certification. I have received my Associates of Arts degree in Business during the past 12 months. I have attended two seminars relating to the implementation of the 2006 International Property Maintenance Code, and attended a meeting at the AZ State Legislature regarding HB 2220 implementation which relates to the protections of Code Enforcement Officers throughout the state of Arizona. I have also attended a grants workshop and worked with rehab to improve occupied housing conditions in the City of El Mirage. One of my goals for the next year is to become certified with ICBO as a certified building inspector and safety training for Code Enforcement

I have worked in the position of Code Enforcement Officer since May 2000. I have been in this position in El Mirage since February 2005. Since my time in El Mirage I have handled **thousands** of cases, issued **hundreds** of citations, and filed many

criminal filings with City Prosecutors. I take pride in my work which is evident in the quality results, many of which are noticed by the community and the City of El Mirage, the quality of relationships that are built with citizens and fellow city employees. I strive to do the very best.

2) Quality of Work

Rating 2.5

Rating 2.5

In Code Enforcement the "routine matters" of each day total to several thousand inspections, court cases, phone calls, meetings, projects, letter writings, and interactions with the public per year. Over the past 12 months there have been approximately 1500 Code Enforcement cases opened and approximately 200 civil citations have been issued since March 2005. There have been hundreds of Notice of Violation letters, Code Compliance Orders, and door hangers also issued over the past 12 months. I have attended 3 neighborhood events and held one community meeting during the past 12 months. I have organized 2 bulk trash events. Approximately 10 demolitions of structures have occurred over the past 12 months. These demolitions were occupied, all were tenants, and due to health and safety concerns, three families were relocated to safer and better housing. The remaining occupants, some of which were known drug dealers and prostitutes, moved to unknown addresses. Residents surrounding these "slum" properties were very pleased that something finally had been done. Consider one "routine matter", on March 28, 2006, a routine re-inspection at a property ended up with myself standing watch for 4 hours at this property because there was a small child sitting in a vehicle in the driveway, at home alone and was crying for her parents. Every surrounding neighbor said the child was left alone all the time and Code Enforcement felt the child was in danger. The El Mirage PD was called along with CPS and my supervisor was informed immediately. During this time there were numerous residents who were very proud of the City of El Mirage because we took the time to not be routine. I have attached to this review a brief report of this incident. This is one of many "routine matters" which I frequently encounter. In my view assessment of this rating should be quality of community improvements and the quantity of cases and workload.

What constitutes "mentally" challenged? Who is qualified to determine that a citizen is "mentally" challenged? The example given in my review does not define the term mentally challenged or what requirements must be met to have this label. **I have never seen any medical records over the past 12 months which have stated any citizen is mentally challenged.** In order for me to respond appropriately to this particular example I need to know which resident, property address, promissory note, why witnesses are needed, and reasons as to why this resident is alleged to be mentally challenged.

I attend court arraignments every Tuesday and most weeks I also testify as state's witness in hearings and trials. I attend weekly meetings, prioritize my assignments hourly, and respond to requests from city officials, my immediate supervisor, citizens, HOA's, attorneys, and other city departments on a regular basis with the need to make decisions quickly and on a moment's notice. In the Code Enforcement Officer Job description it states that I must be able to perform my duties with minimal or no supervision. I take pride in my work and perform to the best of my ability in my job duties and functions. I understand that my actions can create a positive or negative impact on El Mirage city government and I take that very seriously. I prioritize to the best of my

ability to make every appointment on time. I cannot think of any appointment with a citizen that I missed or was late to. My workload requires daily rescheduling and prioritizing which might require my leaving a message stating an appointment missed. Dates, times, locations, names are needed for me to respond to my review correctly. What does often mean? Is it one, two, three, twenty incidents? I need to know this and have specifics before I can respond correctly. Also any specifics regarding missing appointments and being late such as names, telephone numbers, dates, times, and locations must be given for me to respond directly.

Code proposals are exactly that, a proposal and not a finished work product. Webster's defines proposal as 'the act of offering or suggesting something'. A proposal is a plan that can be negotiated with legal and other departments to create a finished work product. Examples of work products which I have submitted which were exemplary are the Bulk Trash Pick-Ups in February and September 2006 and implementation of the graffiti hotline. Any ordinance changes or code changes that are proposed must be reviewed by legal and management before going to Council for approval.

3) Planning and Organizing: **Rating 3**

Code Enforcement is currently working to implement the Neighborhood Preservation Project. I have attached the proposal to this review. The project details an action plan where Code Enforcement will be looking at each property in the City of El Mirage. It is a comprehensive and complete way of educating citizens, enforcing city codes, and outlining responsibilities of the citizens and city government as it relates to neighborhood preservation. Nothing changes from our daily tasks. The proposal is an organized way of doing our daily tasks.

I have planned and organized two bulk trash events which were very successful during the past year. I have organized community service workers to remove graffiti, clean alleys and vacant lots, and clean the wash areas along Grand Avenue. I have organized with the County Attorney to have camera's put up throughout the City. I have organized the Grand Avenue clean-up project and have made contacts with the State of Arizona which are beneficial to keep one of the main arteries into our city clean and beautiful. I also assisted and become an integral part of Together Against Graffiti, T.A.G., which is an organization formed within the City of El Mirage to eradicate graffiti and encourage community involvement.

I have also worked with my supervisor Sharon Antes in cleaning up Alto, Primrose, and Palm Streets. This clean-up was focused on these three streets and was a pilot project to see what could be done. The clean-up went well and all occupants along these streets removed their trash and debris in a timely manner.

I provide Code Enforcement updates to the City Manager and my Supervisor Sharon Antes. These updates were requested by the City Manager and have been done bi-weekly.

I have also worked with the City of Surprise and the City of Youngtown to keep our respective borders free from blight. I have attended meetings in both cities with Code officials to brainstorm ideas regarding city code enforcement, graffiti removal, and the citation process.

Over the past 12 months I have implemented the civil citation process, designed new door hangers and Compliance Orders, new Code Enforcement brochures, and helped design and implement the graffiti brochure.

4) Compliance with Policies and Procedures: Rating 2.5

In the City of El Mirage Personnel Policies and Procedures Manual, adopted March 14, 1988 under Article 16, Leave of Absence, Section 1 – Requesting Leaves of Absence it states the following:

All requests for leaves of absence with or without pay shall be made to the department manager concerned for approval on forms supplied by the Personnel Department. All requests shall be submitted in advance of the beginning date of the leave..."

The section, nor any other section that I am aware of, does not specify the time needed to schedule time. This particular section states only that leave shall be submitted in advance of the beginning date of the leave. There has never been a time in which I took leave that was not approved by my supervisor. I have never called in sick in my 20 months of working for the City of El Mirage. I do appreciate the fact that my supervisor does want more notice and I will work hard to meet that goal in the future. I have attached a copy of this Section.

The Code Enforcement Division, and myself, has been instrumental in organizing the removal of yard sale signs, snipe signs, mortgage signs etc, from city rights-of way every Saturday and Sunday since March 2006. Review of the sign ordinance in the El Mirage Zoning Ordinance currently states that all signs with the exception of city approved signs or realty signs must first have approval by the City of El Mirage before being put up.

I began searching to see what other cities are doing when it comes to this particular issue and it was found that Litchfield Park allows its citizens to put up yard sale signs with certain stipulations. I have not implemented a garage sale sign policy. Instead, a form with certain stipulations was brought over from Litchfield Park. These stipulations were discussed with three residents only because they desperately wanted a yard sale over a particular weekend. The stipulations met the criteria in the El Mirage sign ordinance as far as no signs in any rights-of-way. In the future I would like to implement a sign ordinance which works for city government as well as meets the needs of the citizens. There is understanding in Code Enforcement that any ordinance change must be reviewed with legal, management, courts, before approval by City Council then implementation.

I have never communicated directly with the Judge regarding a specific case outside the normal court proceedings. I need more specifics regarding this so I can respond directly. The Judge did remove himself from one case because of communication from me to his staff. At the time I did not know that I could not do that and have since learned from this one mistake.

The Neighborhood Preservation Project (NPP), which started after this review period, is a comprehensive parcel to parcel view of the City and details the exact number of specific violations which are present. It is a proactive step by step approach to eradicating blight. The NPP gives specific data to anyone who requests it, outlines the city in various areas, and is a uniform way to do the daily tasks of Code Enforcement. It

is not a change to what is currently being done but a more organized approach. I feel the project should be commended for revitalizing El Mirage and changing the culture to one of community pride. It will help in reducing crime, raise property values, and bring business to our community. I have attached the proposal along with the mission statement for Code Enforcement. This proposal was discussed with my supervisor in late October.

Residents are very grateful for the positive change being done to their neighborhoods through Code Enforcement. They are thrilled that drugs, drug dealers, prostitutes and other undesirables leave the areas where their children play. Some residents can move around now without fear and can go to parks and walk the streets without worrying. I get many positive comments and feel that positive comments are just as important as negative comments. While many have written notes of appreciation and letters which are complimentary, there are many more that are never written down. It is part of citizens being proud of their community. When I receive a positive comment about my work, or anyone else's work, I have at times stated to the person to "put that in writing". I do not "solicit" letters but ask the citizen to put it in writing only if they would like to. After receiving many complaints regarding blight, trash, weeds, graffiti, etc, it is nice to get a positive note from an appreciative citizen or co-worker.

In following the chain-of-command I would like specific examples in order for me to respond correctly. I have 7 years experience in Code Enforcement with a total of 20 plus years in municipal government. I know my job and do it correctly. My job description states that I need to do the tasks required in the office and field with minimal supervision. I have had the pleasure of working with many supervisors in the past and have learned a great deal from each of them.

Lobbying the mayor for a personal pay package has never happened. Lobbying the council has never happened and I have never lobbied a council member for support of an ordinance change. The memo from the police department was the result of a meeting where the issue of personal safety was mentioned by someone inside the police department. I would like clarification on all of these before I can respond effectively. I would like names, dates, times, what was said and who it was said to in order for me to respond directly. There have been officials who have come to me in the past and offered an opinion and/or a thank-you. Opinions of the Mayor and Council are imperative to the transition of El Mirage to move the city forward. "It's a great day in the City of El Mirage" is something I have heard from the City Manager and City Council and I like it. I am implementing this saying into Code Enforcement. The exchange of ideas between management and staff is necessary to move forward. We are all on the same team. My goal is to provide excellent customer service to city government, which is just as important as providing the same level of service to our citizens.

5) Service, Teamwork and Interpersonal Skills: **Rating 2.5**

Because of the diversity of the position, attending to the needs of the community is most important. Issues arise while in the field and an occasional meeting is missed. At this time I can only think of one staff meeting that I have missed because of unforeseen circumstances and at that time I called my supervisor Sharon Antes and offered an apology. At the same time I also requested information from my supervisor about that particular meeting and was asked to find that information "from someone else".

Every blighted building which has been demolished within the City of El Mirage has had the approval of the Building Inspector or Building Official prior to demolition. Although this is not needed in every case, it is done for specific reasons. **Every interior inspection has had the approval of the Building Inspector prior to enforcing the requirements to make the building safe and habitable.** Again, this is not needed in most cases but is done for specific reasons. Under every circumstance, whether it is blighted buildings or high weeds, account is taken into consideration as to the liability of the City of El Mirage. Pictures are taken in every instance, a detailed report is written, and if the City Code does not spell it out first, then the City Attorney and/or Building Inspector is asked for input. Code Enforcement does not take lightly the possibility of the City's liability and pursues every avenue to reduce every possibility of liability.

Communication between front counter staff and the permit technician is necessary and Code Enforcement has implemented ways to better communicate with staff. While no specific examples were given in my review, I do recognize the need for better communication. Safety is of utmost importance inside the office as well as out in the field. While Code Enforcement cannot determine a person's level of anger every time, it does take seriously the issue of safety and communication. I have sent recommendations for safety features in the office to Sharon Antes, my supervisor, and management. These features, if implemented, can greatly improve the safety and security for office staff and employee's.

6) Communication Skills: **Rating 2**

In order to be effective Code Enforcement Officers as well as Police need to, at times, be tactful and firm. There are thousands of El Mirage citizens who desire good Code Enforcement as it improves their community, allows for the reduction of crime, and enhances property values and business activity. These same citizens appreciate someone coming to their door and explaining violations, timely follow-up, avenues to help them correct the violations, and even the issuance of a citation. One of our main goals in Code Enforcement is education. Code Enforcement does recognize that there are a few citizens who do not appreciate enforcement nor the City Code and Zoning Ordinance. I can assure anyone that every avenue is looked at first to work with these citizens as much as possible. Customer service is very important to me and I take pride in the work and communication that I do. There are no specifics in my review and a broad generalization of the word "often". Is often one time, three times, hundreds of times? Clarification is needed and specifics such as names, dates, locations, times in order for me to respond accurately. **I have never received a restraining order filed against me** but was summoned to appear in court regarding a property owner in El Mirage. I appeared in court, the defendant (owner) did not. The summons was dismissed. At issue was a citizen who did not appreciate the 12 months which Code Enforcement tried to work with them to clean their property. The citizen thought that by filing a restraining order it would stop the enforcement of the numerous code violations on the property. The case went to trial and the defendant was fined \$1500.00.

I know of no other restraining orders which have been threatened and would need specifics in order for me to address accurately.

Code Enforcement does recognize the importance of communication involved in daily interaction with the citizens of El Mirage, the news media, my supervisors, other City departments, the City Manager, Council, and the Mayor. Each phone call, letter, and enforcement action is used more as an educational tool rather than a threat. My main objective in Code Enforcement is education and compliance rather than enforcement.

7) Safety & Use of Resources

My goal for the next review period is zero accidents.

Conclusion:

I have never received a negative review in my 20 years of public service. It is my opinion that every negative in this particular review is taken out of context and is not part of the entire picture over the past 12 months. Some of the negatives in this review are completely wrong and/or misleading. There is nothing positive in this review despite all the milestones which have been completed over the past 12 months. Even if this review was correct, which it is not, then where is the training, or the counseling, or the written reprimands which I have signed? I intend to try to the best of my ability to examine myself and determine if some of the negatives in this review are warranted and will take appropriate steps to correct them if necessary. I enjoy my job and I appreciate the City of El Mirage government and the citizens and look forward to working as a team in building a better way of life for its residents.



City of El Mirage
Employee Performance Review & Development

Employee Name: Anthony Kern
Job Title: Code Enforcement Officer

Department: Public Works
Review Due Date: 9/21/05
Review Period: 3/21/05 – 9/21/05

Performance Standards	Rating	X	Weight	=	Total
GENERAL PERFORMANCE STANDARDS (FOR ALL EMPLOYEES)					
1. Job Knowledge & Skills	3.0		20		.60
2. Quality of Work	3.5		20		.70
3. Planning & Organizing	2.0		10		.20
4. Compliance with Policies & Procedures	2.5		10		.25
5. Service, Teamwork & Interpersonal Skills	4.0		10		.40
6. Communication Skills	2.5		20		.50
7. Safety & Use of Resources	4.0		10		.40
DEPARTMENT PERFORMANCE STANDARDS (TO BE DETERMINED BY DEPARTMENT DIRECTOR) *OPTIONAL					
8.					
9.					
SUPERVISORY/MANAGERIAL PERFORMANCE STANDARDS					
10. Supervisory/Managerial Skills					
DEPARTMENT DIRECTORS					
11. Departmental Effectiveness					
12. Leadership Skills					
TOTALS			100%		3.05

Ratings of 5, 4, 2, and 1 must be explained and attached.

Achievement Levels	Overall Level of Achievement
(5) Exceptional: Significantly exceeds position's performance standards; performance substantially exceeds performance of others at similar position levels.	<input type="checkbox"/> Exceptional 4.5 – 5.0
(4) Exceeds Standards: Exceeds position's performance standards; performance exceeds that of most others at similar position levels.	<input type="checkbox"/> Exceeds Standards 3.5 – 4.49
(3) Meets Requirements: Meets position's performance standards; performance which is expected from experienced and qualified individuals.	<input checked="" type="checkbox"/> Meets Requirements 2.5 – 3.49
(2) Improvement Required: With few exceptions, meets position's performance standards. Employee has potential with some additional training to meet requirements.	<input type="checkbox"/> Improvement Required 1.5 – 2.49
(1) Unsatisfactory: Does not meet position's performance standards; performance is clearly below adequate; requires substantial remedial training.	<input type="checkbox"/> Unsatisfactory 1.0 – 1.49

Achievement Level

Overall Achievement Level (circle one) 1 2 3 4 5 *Per BJG*
 Merit Increase % for this achievement level 3 %

Performance Review Information (FOR USE BY HUMAN RESOURCES)			
Annual Performance Review Period:	to	Job Title	
Current Base Salary \$		Salary Range	
Min. Salary \$	Midpoint Salary \$	Max Salary \$	



City of El Mirage
Employee Performance Review & Development
Post-Review Input and Comments

Employee Name Anthony Kern Review Due Date 9/21/05

SUPERVISOR COMMENTS:

Supervisor Signature _____ Date _____

I have reviewed the comments above:

Employee Signature _____ Date _____

I have attached a statement

SUPERVISOR COMMENTS:

Anthony is personable and conscientious about his work. This review covers his probationary period with a large learning curve. He needs to work on clearer communication and attention to details though he is making obvious improvements to the City through his efforts.

Supervisor Signature Sharon Antes 6/8/06 Date _____

I have reviewed the comments above:

Employee Signature [Signature] 6/8/06 Date _____

I have attached a statement

DIRECTOR COMMENTS:

Director Signature Chris R. Jones 6/8/06 Date _____

I have reviewed the comments above:

Employee Signature [Signature] 6/9/06 Date _____

I have attached a statement

Employee: I have reviewed the completed Employee Performance Review and Development and recommendation for merit increase for the next rating year.

Employee Signature [Signature] 6/9/06 Date _____



**City of El Mirage
Employee Performance Review & Development
Explanation of Ratings 5, 4, 2, 1**

* Ratings of Meets Requirements (3) do not need to be explained. Ratings of 5, 4, 2, and 1 must have examples of the employee's performance to justify the rating.

1. Job Knowledge and Skills: Rating 3.0

Anthony's code enforcement job knowledge was obtained from his previous employment in a larger city and he brought those skills and knowledge to apply to the smaller environment of the City of El Mirage. His learning curve involved taking on responsibility for a department operation and performing more varied functions than he was familiar with such as administrative, financial accountability, legal process, etc. He is also continuing to become familiar with the codes that are unique and specific to the City of El Mirage.

2. Quality of Work: Rating 3.5

Generally, the quality of Anthony's work is good. He is dedicated to the needs of the community and diligently records and documents all cases with reports and photos for future substantiation. With an overwhelming backlog of work that existed when Anthony was initially hired and the amount of work identified since then, he has made progress toward ridding the older sections of blight and creating a healthier and safer living environment through enforcing the city's codes.

3. Planning & Organizing: Rating 2.0

The very nature of the work of Code Enforcement requires a certain amount of spontaneity, particularly in responding to resident complaints. Nevertheless, specific areas of code enforcement, such as follow-up on open case inspections, graffiti hotline procedures, zoning code interpretation and sign removal procedures need constant attention and prioritizing. An example of learning to better organize through practice would be the Bulk Trash Pick Up events organized by the City. The first bulk trash pick up was not well thought out in terms of notice to owners, proper staffing, care of staff, hours of operation, or clear direction and communication with residents; arbitrary decisions were made which further compounded a confusing operation. Anthony is generally very good with the "Big Picture" ideas but needs to pay more attention to details in his general organization and event planning.

4. Compliance with Policies and Procedures:**Rating 2.5**

For the most part, Anthony pays attention and adheres to policies and procedures, especially as they relate to code enforcement. Those are the city's policies and procedures for residents and he diligently attempts to fairly and equitably apply the codes to all residents. As for internal policies, Anthony sometimes prefers taking shortcuts rather than to follow established procedures such as receiving prior approval for vacation or other days off. There have also been times when Anthony has responded to or agreed to after-hours police activities without prior approval; exuberance and interdepartmental cooperation aside, though appreciated, internal procedures need to be followed which affects hours of operation and unauthorized overtime. There is also room for improvement with better understanding and practice of chain-of-command communication.

5. Service, Teamwork and Interpersonal Skills:**Rating 4.0**

Anthony is a very personable and well liked employee. He is friendly, gregarious, and energetic. He is not afraid of hands on assistance when necessary and leads others by example. During clean up days, Anthony pitches in to perform manual labor, he fully participated and assisted with clean up when the City was preparing for the Presidential visit, and he often assists the Streets department with tire pick up and clean up of debris around the city.

6. Communication Skills:**Rating 2.5**

Written communication to residents by way of violation notices or citations are in order and properly completed. Written internal reports are regular, timely and informative. Report writing and documentation for case substantiation is good. Verbal communication with residents is direct but polite. Communication between departments is good when actions affect or impact various city departments. Verbal communication with fellow workers needs improvement on providing information of actions taken in the field that negatively effect office staff and customer service. Communication with Supervisor needs substantial improvement to facilitate consistency and completeness. Anthony also needs better understanding and practice of chain-of-command communication.

7. Safety & Use of Resources:**Rating 4.0**

Generally, Anthony is conscious of safety regulations and utilizes precautions as required; i.e., he provides safety equipment to Adult Probation workers and ensures they operate equipment properly and safely. He takes precautions while in the field with safety gear such as gloves, vests, hats, sunscreens and provides plenty of water to volunteer workers.



City of El Mirage
Employee Performance Review & Development
Employee Pre-Review Input & Comments

Employee Name Anthony Kew Review Date Sept 2005

1. Significant accomplishments achieved since the last review period:

Built Trash Clean-up, Graffiti Enforcement, Blockwatch meetings, PTRA/AR implementation, Code Procedures, Court Process, Citation process, Civil/Criminal Filing process, Dangerous Building Removal procedures, ~~Business license~~ ~~license~~ ~~Business~~ Weed Control Rehab, ~~Sign removal~~, Media Relations

2. Significant problems encountered since the last review period:

Manpower - Code Codification-

3. What would you like to improve about your skills and performance during the next review period?

Taser Training to encounter dogs -

Safety Training - Certification

Grant Writing

4. Other comments:

Goal is to be as organized as possible in 2006.

Implement IPAC into other Codes into Code Book-

Divide City into work areas and implement "Fightback" program

Supervisor's Comments:

Supervisor's Signature Aaron Sates Review Date 6/9/06

Employee's Signature JK Review Date 1-26-06



City of El Mirage Employee Performance Review & Development

EMPLOYEE'S GOALS and DEVELOPMENT PLAN
(to be used by employee and/or supervisor)
For next review period

Employee Name _____ Date _____

Goals to be achieved or, Competency/skill requiring development:	Performance Standard	Developmental Activity:

ARIZONA DEPARTMENT OF PUBLIC SAFETY

CJIS SYSTEMS AGENCY

CERTIFIES THAT

KERN, ANTHONY T

has successfully fulfilled the requirements for

A CJIS NETWORK TERMINAL OPERATOR CERTIFICATION

Level: **B**

Expiration Date: **OCTOBER 2012**

M. Manning

CJIS SYSTEMS OFFICER

Certificate of Appreciation

This certificate is awarded to
ANTHONY KERN

in recognition of valuable contributions and dedication toward the
implementation of Character Counts at Dysart Elementary School.

Lorraine A. Buck

Signature

5/15/09

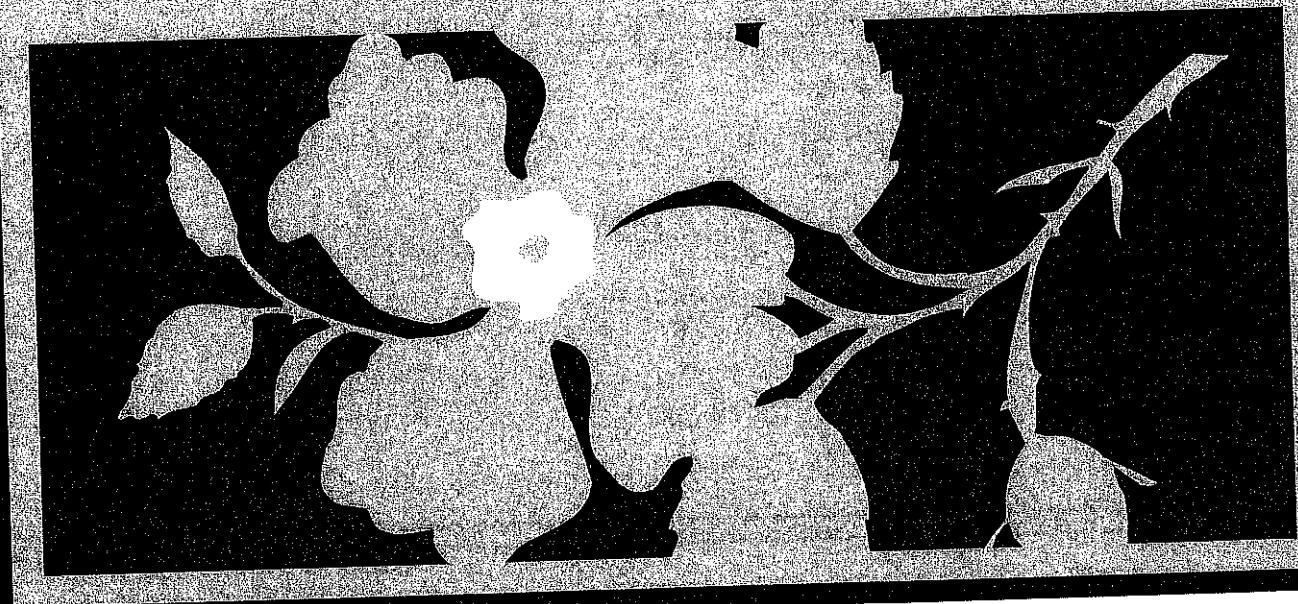
Date

Maria Gusea

Signature

5/15/09

Date





Arizona Building Officials
2010 Fall Education Institute
Hereby awards this
Certificate of Appreciation

To

Anthony Kern

For his valued participation

Instructor – 2 days

1.4 ICC CEUs

Phoenix, Arizona – October 6 and October 7, 2010

A handwritten signature in black ink, appearing to read "Patti Schechter".

Patti Schechter
Director of Education Institutes



Arizona Building Officials

2007 Spring Education Institute

Hereby awards this

Certificate of Completion

T₀

Anthony Kern

For successfully completing the course of instruction in
0.7 CEUs

102 Legal Aspects/Ethics in Government

Prescott, Arizona April 23, 2007


Barbara Piller, Registrar



Arizona Building Officials

2007 Spring Education Institute

Hereby awards this

Certificate of Completion

To

Anthony Kern

For successfully completing the course of instruction in

1.4 CEUs

301 & 401 2006 International Residential Code

Prescott, Arizona April 25 & 26, 2007

Barbara Piller
Barbara Piller, Registrar



Anthony Kepn

CITY OF EL MIRAGE
Human Resources Department
EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

By signing below, I hereby acknowledge receipt of a copy of the City of El Mirage Administrative Policy – AP 11-38 Personal Appearance, as amended.

I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this policy, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed: A. Kepn

Date: 03/9/2012

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Department by March 14, 2012



CITY OF EL MIRAGE
Human Resources Department
EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

By signing below, I hereby acknowledge receipt of a copy of the City of El Mirage Administrative Policy – AP 11-38 Personal Appearance, as amended.

I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this policy, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed: 

Date: 8/31/12

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Department by March 14, 2012

Amy M. Kernal



CITY OF EL MIRAGE
Human Resources Department
EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

By signing below, I hereby acknowledge receipt of a copy of the City of El Mirage Administrative Policy – AP 11-38 Personal Appearance, as amended.

I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this policy, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed: _____


Date: 3-12-12

Issued by: Human Resources Department
(For the City of El Mirage)

Please sign, date and return to the Human Resources Department by March 14, 2012



CITY OF EL MIRAGE
Human Resources Department
EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

Kern, Anthony

By signing below, I hereby acknowledge receipt of a copy of the City of El Mirage Administrative Policy – AP 11-38 Personal Appearance.

I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this policy, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed: _____

Date: 10-27-11

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Department by November 2, 2011



CITY OF EL MIRAGE
Human Resources Department

EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

I, (Print Name) Kern, Anthony, an employee of the City of El Mirage, hereby acknowledge receipt of a copy of the following City of El Mirage Personnel Policy amendment approved by the City Council on September 29, 2011 as follows:

1) Section 1.8 A. - Campaigning

I understand that my conduct as an employee of the City will be governed by the provisions of the Personnel Manual and any amendments thereto and further understand that it is my responsibility as an employee of the City to read these policies, which I agree to do so.

I further understand that the Personnel Manual may be amended from time to time as deemed necessary by management and/or the City Council.

Signed: _____

A handwritten signature of Kern, Anthony, consisting of stylized initials and a surname.

Date: _____

A handwritten date in the format DD-MM-YY, reading "10-06-11".

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Director by October 13, 2011.



**El Mirage
Police
Department**

To: Anthony Kern
Code Enforcement

From: Michael T. Frazier
Police Chief

Subject: COMMENDATION—POLICE COMMUNITY PICNIC

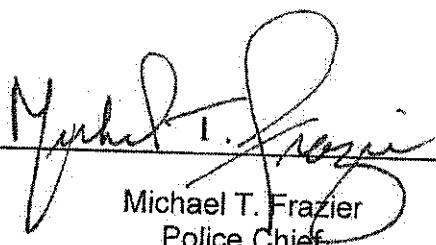
Date: April 8, 2010

On Saturday, April 3, 2010, the third annual El Mirage Community Picnic was held at Gateway Park. Several hundred El Mirage residents attended and many commented about what a wonderful event it was.

The success of the Community Picnic is no secret—it takes hard work by a committed group of employees to ensure that every aspect of the event is choreographed so nothing is left to chance. As was the expectation, you hit a Home Run! In this difficult economic climate, it is important that we reach out to our citizens and remind them we are a united community and we're in this together.

I wanted to personally thank all of you for your extraordinary efforts in making this event a success. I suspect some might say it was just a picnic, but it truly was more than that—it represented another important step in strengthening the fabric of a community that while small, continues to look forward toward a brighter future.

Thanks again for all you do to enhance the professional image of the City of El Mirage.



Michael T. Frazier
Police Chief

c: Mary Dickson, Building Official

**CITY OF EL MIRAGE
HUMAN RESOURCES**

APR 15 2010

RECEIVED



CITY OF EL MIRAGE
Human Resources Department
14406 N. Alto Street, El Mirage, AZ 85335

EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

Anthony Kern

By signing below, I hereby acknowledge receipt of a copy of the City of El Mirage Administrative Policy – AP10-35D Drug and Alcohol Testing Policy & Procedures – July 1, 2010.

I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this policy, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed:

A handwritten signature of Anthony Kern over a horizontal line.

Date:

June 10, 2010

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Director by June 14, 2010

POLICY AND PROCEDURES

1. Fuel Card Use

- A. The fuel card enables the purchase of fuel at any fueling location that accepts the Voyager fuel cards. However, the primary locations for fueling are the station(s) located in the City of El Mirage. The only exception is when an employee is traveling outside of the City and there is not enough fuel to make it back to the City.
- B. All authorized personnel who will be using City fuel card(s) must be trained in the use of the card when operating a self-service dispenser. Employees shall not use any full service stations.
- C. All authorized personnel shall be instructed in the proper entry of the Personal Identification Number (PIN) and accurate odometer/hour readings.
- D. A personal PIN number and correct vehicle mileage is required to use the fuel card. Employees shall not keep their PIN # with the card in case it is lost or stolen or the vehicle is being used by someone else.
- E. Employees shall write the vehicle number on the receipt and sign it.
- F. Employees shall turn in all receipts to the department's designated fleet maintenance contact.

2. Misuse of the Fuel Card

- A. If for any reason disallowed charges are not repaid by the employee/cardholder before the card billing is due and payable, the City shall retain a prior lien against and a right to withhold any and all funds payable to the employee up to an amount of the disallowed charges and interest at the same rate as charged by the purchasing card contractor. Consequences for misuse of the fuel card may include one or more of the following:
 - i. Permanent revocation of fuel card privileges.
 - ii. Assignment of wages for repayment of discrepancies.
 - iii. Notification to the Public Works Director and the City Manager to investigate the matter further.
 - iv. Disciplinary action, up to and including termination of employment, in accordance with the City of El Mirage Personnel Policy Manual.

I hereby acknowledge that I have read and understand the City of El Mirage's Fuel Card Policy.

Dated this 15 day of March, 2010.

Anthony Kern
Employee Printed Name


Employee Signature

CITY ATTORNEY – APPROVED AS TO FORM:

SIGNATURE: H. H. H. DATE 2-20-10

CITY MANAGER APPROVAL

SIGNATURE: J. C. J. DATE

MDC RECEIPT LETTER

By signing below, you are acknowledging receipt of a Panasonic CF-19 Toughbook MDC (REM-AKERN-561) along with aircard and an AC adapter for use in performing Code Enforcement duties. This computer and aircard will need to be secured in your office daily before departing for the day. If failure to secure the laptop at the end of the day results in loss of city property/data, I can be held liable for the loss. I further acknowledge that I will follow the Computer and Internet Usage Policy letter dated 4 Jan 2007.

PRINTED NAME

DATE

SIGNATURE

Anthony Kern

10/19/09

R

CITY OF EL MIRAGE
HUMAN RESOURCES

NOV 12 2009

RECEIVED



CITY OF EL MIRAGE
Human Resources Department
14406 N. Alto Street, El Mirage, AZ 85335

EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

I, (Print Name) Anthony Kern, an employee of the City of El Mirage, hereby acknowledge receipt of a copy of the following City of El Mirage Administrative Policy and Procedures approved by the City Manager on March 31, 2009 as follows:

- 1) Timesheet Procedures
- 2) Family Medical Leave Procedures
- 3) Workers Compensation Procedures

I understand that my conduct as an employee of the City will be governed by the provisions of these policies and further understand that it is my responsibility as an employee of the City to read these policies, which I agree to do so.

I further understand that these policies may be amended from time to time as deemed necessary by management and/or the City Council.

Signed: _____

Date: _____

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Director by April 17, 2009.

Employee Receipt and Acknowledgement

I, (Printed Name) Anthony Kern, an employee of the City of El Mirage, hereby acknowledge receipt of a copy of the City of El Mirage Employee Personnel Policy Manual dated July 11, 2008. I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this manual, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed:



Date:

9/10/08

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Director within seven (7) days of receiving this manual.

CITY OF EL MIRAGE
HUMAN RESOURCES

SEP 11 2008

RECEIVED

Return to Human Resources



CITY OF EL MIRAGE
Human Resources Department
14406 N. Alto Street, El Mirage, AZ 85335

EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

Anthony Kern

By signing below, I hereby acknowledge receipt of a copy of the City of El Mirage Administrative Policy – AP03-13 Use of City Vehicles – Revised Oct 1, 2009.

I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this policy, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed:

A handwritten signature of Anthony Kern over a horizontal line.

Date:

12/10/09

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Director by December 10, 2009



CITY OF EL MIRAGE
Human Resources Department
14406 N. Alton Street, El Mirage, AZ 85335

EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

Anthony Kern

By signing below, I hereby acknowledge receipt of a copy of the City of El Mirage Administrative Policy – AP03-1.3 Use of City Vehicles – Revised March 2010.

I understand that my conduct as an employee of the City will be governed by the provisions of this policy and further understand that it is my responsibility as an employee of the City to read this policy, which I agree to do so.

I further understand that this policy may be amended from time to time as deemed necessary by management and/or the City Council.

Signed:

A handwritten signature in black ink, appearing to read "Anthony Kern".

Date:

4-26-10

Issued by: Human Resources Department

(For the City of El Mirage)

Please sign, date and return to the Human Resources Director by April 21, 2010.

Memo

To: ~~Gerliss Cruse~~ *Anthony Kern*
Community Development 10-545

From: Human Resources Department

CC:

Date: June 17, 2008

Re: Acknowledgment of Receipt - Emergency Action Plan, Effective
5/27/08

I acknowledge that I have received a copy of the Emergency Action Plan which contains information regarding general procedures for protecting the welfare of citizens, visitors and employees of the City of El Mirage.

I understand and agree that I will read and comply with the policies contained in this plan and any revisions.



Employee's Name (Signature)

6/20/08

Date



CITY OF EL MIRAGE
"Focused on the Future"

MEMORANDUM

TO: Employees of the City of El Mirage
FROM: Human Resources Department
SUBJECT: Acknowledgement of Receipt – Computer and Internet Usage Policy

Please sign the following statement certifying that you received a copy of the following Policies and Procedures:

Policy Type	Title	Effective Date
Administrative	Computer and Internet Usage Policy	January 4, 2007

I hereby certify that I received a copy of the City of El Mirage Personnel Policy (s) listed above. I understand that after reviewing the above policy(s), should I have any questions about the policy(s) or guidelines, I will contact my supervisor or the human resources department for clarification.


Employee's Name (Signature)


Date

ANTHONY KERN
PERIOD ENDING 02/10/2007
EMP # 1716 10-545

CITY OF EL MIRAGE

TO: ANTHONY KERN
FROM:
SUBJECT: ISSUANCE OF CELL PHONE
DATE:
CC: PERSONNEL FILE

I hereby acknowledge receipt of the above listed

- Cellular Phone
- Case
- Wall Charger
- Automobile Charger Adaptor

I also agree that I will be responsible to the City for the replacement cost of any of the equipment while in my care.

I have been made aware that City cell phones are to be used for official city communications only, and that I will be required to reimburse the City of El Mirage for personal use at a cost of \$0.05 per minute of personal use plus any taxes, additional toll and roaming costs as they apply.

Anthony Kern
PRINTED NAME


SIGNATURE

Code Enforcement/PW
DEPARTMENT

DATE

8-5-05
DATE

ISSUER

DATE



City of El Mirage Human Resources Department

P.O. Box 26 El Mirage, AZ 85335 (623) 935-5672 Fax (623) 935-5679

Oath of Office

Pursuant to A.R.S. § 38-231, before any officer or employee enters upon the duties of his office or employment, he shall take and subscribe the following oath or affirmation:

State of Arizona, County of Maricopa,

I, Anthony T. Kern do solemnly affirm that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona; that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of _____ according to the best of my ability, so help me God.

(signature of employee)

Subscribed and affirmed before me this _____ day of _____, 20 _____.

Notary Public

CITY OF EL MIRAGE
Code Enforcement

Name: Anthony Kern

Position: Code Enforcement
Officer

Employee #: 1722

If found please return to:

PO Box 26
El Mirage, Arizona 85335